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Committee on Economic, Social and Cultural Rights

Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights

Fifth periodic reports of States parties due in 2013

Sri Lanka*

[Date received: 7 October 2015]

* The present document is being issued without formal editing.

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Annexes**

** The annexes to the present report are on file with the Secretariat and are available for consultation. They may also be accessed from the web page of the Committee on Economic, Social and Cultural Rights.

Abbreviations

A/L	Advanced Level
CBOs	Community Based Organizations
CRPO	Child Rights Promotion Officers
DoL	Department of Labour
EPF	Employee Provident Fund
EPI	Expanded Programme on Immunization
ETF	Employee Trust Fund
FHB	Family Health Bureau
GBV	Gender Based Violence
GCE	General Certificate of Education
GoSL	Government of Sri Lanka
LLRC	Lessons Learnt and Reconciliation Commission
MCH	National Maternal and Child Health Policy
MoH	Ministry of Health
MVTT	Ministry of Vocational Technical Training
NAITA	National Apprentice and Industrial Authority
NHDP	National Health Development Plan
NPoA	National Plan of Action
NYSC	National Youth Services Council
PHM	Public Health Midwife
PHDT	Plantation Human Development Trust
PO	Protection Officers
PSPF	Public Servants' Provident Fund
PSPS	Public Servants' Pension Scheme
PWD	Persons with Disabilities
WHO	World Health Organization
W&OP	Widows and Orphan Pension Scheme
STO	Service and Technology Officers
TEVT	Technical Education and Vocational Training System
VTA	Vocational Training Authority

I. Introduction

1. The Government of Sri Lanka (GoSL) is pleased to present the fifth periodic report to the United Nations Committee on Economic, Social and Cultural Rights pursuant to Articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights (the Covenant). This report follows up on the development and progress made in the thematic areas of concern under the Covenant, since the submission of the fourth periodic report of Sri Lanka (E/C.12/LKA/4).

2. Sri Lanka acknowledges the significance of the core human rights enshrined in the Covenant deriving from the "inherent dignity of the human person" and notes the concluding observations presented and appreciates commendations made by the Committee during consideration of Sri Lanka's combined Second to Fourth periodic report. This report covers the period from June 2008 to July 2015 and conforms to the general guidelines as laid down in Article 16, 17 and 27 of the Covenant for specific documents to be submitted by State Parties (E/C12/2008/2).

3. This report presents amendments made to legislations, new legislation and policies adopted and future projections of the Government for adoption and application of various measures to give effect to the economic, social and cultural rights guaranteed in the Covenant.

II. General Information

4. Being a signatory to 16 major international human rights conventions, including to the International Covenant on Economic, Social and Cultural Rights, Sri Lanka has made sustained and determined efforts to promote and protect the socio-economic and cultural rights of the people of Sri Lanka.

5. This is reflected by the significant improvements made in the following key economic indicators:

- Population:

  Sri Lanka's population as at mid-year 2013 was 20,483,000

  The gender distribution: 51.5% women; 48.5% men

  The population growth rate: 0.8%

- Age distribution:

  0-14 yrs: 5,171,000

  15-64 yrs: 13,707,000

  65 years and over: 1,605,000

  Population density (2013): 327 persons per Sq. Km

- Literacy

  The Literacy rate (as at 2012-latest records) recorded an average of 95.6% with male literacy being 96.8% and female literacy at 94.6%.

- Life expectancy

  The expectation of life at birth as at 2012: 75 years.

- Infant mortality [per thousand (1000) live births in 2012]

  Neonatal: 6.8

  Infant: 9.2

  Under-five: 10.4

- Maternal mortality

  Ratio per 100,000 live births: 33 in 2010 (this was closer to 100 in 1990).

- Education

  Universal primary education has reached 99.7% (2014)

  The students who start grade 1 reaching grade 5 is 100% (2014)

Part I – Responses to the Concluding Observations of the Committee on Economic, Social and Cultural Rights Consequent to the Consideration of Sri Lanka's Combined Second to Fourth Periodic Reports

Actions taken and results achieved in respect of principle areas of concern and recommendations of the Committee [ref. Paragraph "c" of the Concluding Observations (E/C.12/LKA/4)]

6. The Government of Sri Lanka wishes to reaffirm its commitment to continue and maintain the constructive dialogue with the Committee and to answer all questions and queries to the best of its ability and to consider adopting the recommendations made by the Committee. In this section, the GoSL responds to the Concluding Observations made by the Committee pertaining to the 2nd, 3rd and 4th Combined Report of the Government (E/C.12/LKA/CO/2-4).

Legal status of the Convention [Paragraph 06]

Incorporation of the Convention into the domestic legal system

7. The 2nd Republican Constitution of Sri Lanka embodies the principles of democracy and the protection of fundamental rights of its people. Article 4(d) of the Constitution directs that the fundamental rights which are declared and recognized by the Constitution shall be respected, secured and advanced by all the organs of government, and shall not be abridged, restricted or denied, except in the manner and to the extent provided in the Constitution.

8. Article 27 of the Constitution provides for Directive Principles of State Policy which includes realization by all citizens of an adequate standard of living for themselves and their families, including adequate food, clothing and housing, the continuous improvement of living conditions and the full enjoyment of leisure and social and cultural opportunities. While rights contained in the Directive Principles of State Policy are non-justiciable, the Constitution in Article 27(1) provides that they shall serves as a guide for the Parliament, the President and the Cabinet of Ministers in the enactment of laws and the governance of Sri Lanka for the establishment of a just and free society.

9. Article 10 of the Constitution guarantees the right to freedom of thought, conscience and religion. Article 11 prohibits torture or cruel, inhumane, degrading treatment or

punishment. Right to equality is embodied in Article 12 and Article 12(4) provides for affirmative action and stipulates that "nothing in this Article shall prevent special provision made by law, subordinate legislation or executive action for the advancement of women, children or disabled persons." Article 13 grants the freedom from arbitrary arrests, detention, punishment and prohibition of retroactive penal legislation. Article 14 (1) embodies the freedom of speech, assembly, movement, and association. Article 15 sets out restrictions on fundamental rights recognized in Article 12(1), 13 and 14 inter alia in the interest of national security, racial and religious harmony and for the protection of public health and morality. Article 14(A) (1) of the 19th Amendment to the Constitution expressly provides for the right of access to any information that is required for the exercise or protection of a citizen's right, subject to such restrictions prescribed by law as necessary for the matters set out under Article 14 A (2).

10. The Supreme Court has the sole and exclusive jurisdiction to hear and determine any questions relating to the infringement or imminent infringement by executive or administrative action of any fundamental right or language right declared and recognized by Chapter III or Chapter IV of the Constitution.

11. Since the election of the incumbent President in January 2015, steps have been taken to further strengthen the constitutional guarantees of fundamental rights with the enactment of the 19th Amendment to the Constitution, which strengthens independent institutions including the Elections, Human Rights, Judicial Services and Police Commissions.

12. Article 41 A (4) of the 19th Amendment to the Constitution specifically provides that Prime Minister and the Leader of the Opposition shall consult the leaders of political parties and independent groups represented in Parliament "so as to ensure that the Constitutional Council reflects the pluralistic character of Sri Lankan society, including professional and social diversity." The Constitutional Council consists of 10 members including, among, others, 3 representatives of civil society.

13. The Government continues with the implementation of the recommendations of the Lessons and Learnt and Reconciliation Commission (LLRC) through National Plan of Action (NPoA). As of April 2015, out of the 144 recommendations of the LLRC, that the Government has identified for implementation, 45 have achieved their objectives, and there are 89 recommendations where implementation has progressed to a considerable extent with long-term timeframes, and 10 recommendations where preliminary steps are being taken for implementation.

14. See paragraph 160 for Human Rights Education.

Repeal of emergency regulations [Paragraph 7]

15. Emergency Regulations have been allowed to lapse in August 2011.

Independence of the National Commission on Human Rights [Paragraph 8]

16. The enactment of the 19th Amendment to the Constitution provides for further strengthening of several independent commissions including the Human Rights Commission of Sri Lanka and provides for a fixed term of office for the members of the Commission with specific provisions for removal as provided for in the Constitution or in law. The Members of the Commission will be appointed by the "Constitutional Council" established under the 19th Amendment, and will enable the independent functioning and autonomy of the National Human Rights Commission in line with the Paris Principles.

Independence and integrity of the judiciary and oversight bodies [Paragraph 9]

17. The Constitutional Council established under the 19th Amendment to the Constitution further strengthens the independence of the judiciary. According to Article 41 C of the Amendment, the appointments to the office of the Chief Justice, Judges of the Supreme Court, President and the Judges of the Court of Appeal and Members of the Judicial Service Commission shall be by the President, based on approval of the Constitutional Council, upon a recommendation made to the Council by the President. The aforesaid Judges hold office during good behavior and cannot be removed except by an order of the President made after an address of Parliament supported by majority vote of the Members of the Parliament, on the ground of proved misbehaviour or incapacity. Article 111 (H) of the Constitution provides for the powers vested in the Judicial Service Commission and ensures the independence of the High Court Judges and judicial officers.

Protection of human rights defenders [Paragraph 10]

18. The GoSL is fully committed to the protection of human rights defenders. Alleged attacks on human rights activists, that were reported to the Police have been duly investigated and facts reported to relevant Magistrate's Courts.

19. The Assistance to and Protection of Victims of Crime and Witnesses Act No. 04 of 2015 was enacted in February 2015 with the objective of upholding and enforcing the rights and entitlements of victims of crime and witnesses and to provide for a mechanism to promote, protect, enforce and exercise such rights and entitlements . Furthermore, the Act stipulates offences that may be committed against victims of crime and witnesses and penal sanctions that may be imposed on persons who commit such offences.

20. The GoSL will not hesitate to prosecute perpetrators whenever credible evidence is available. Sri Lanka has a vibrant civil society and its Constitution guarantees the protection of fundamental rights. The wide range of interactions that the UN High Commissioner for Human Rights and other foreign dignitaries have had with the civil society during their visits to Sri Lanka in the recent past, as well as the active engagement of civil society from Sri Lanka at various international forums are testimony to the vibrant nature of the civil society in Sri Lanka and the freedoms they enjoy. Although no special laws have been formulated with regard to human rights defenders, any person whose rights are infringed has the option of filing a Fundamental Rights application in the Supreme Court, a Writ application in the Court of Appeal, or make a complaint before the National Human Rights Commission on his/her behalf or in the public interest. A full gamut of constitutional guarantees including effective remedies are available to individuals or groups who wish to espouse social causes.

Ensure that the Veddahs can return to and remain undisturbed on the lands from which they were evicted [Paragraph 11]

21. The Government wishes to reassure that adivasi (Veddahs) people have been provided with an uninterrupted freedom to reside in their natural lands, especially in the Maduru Oya reserve, where they remain highly concentrated.[1] However, there are some restrictions in place on poaching of wild animals in the forest reserve due to conservation concerns. It may also be noted that when designing development projects in adivasi

[1] According to data from the Mahaweli Authority in Sri Lanka, 49 families who denied to leave Maduru Oya have been located to a secondary settlement in Maduru Oya, provided with the same facilities and amenities to exercise and preserve their cultural rights. 11 families moved to Kotabakiniya, another village close to Maduru Oya, while families that moved out of Maduru Oya have been resettled in Henanigala and Kandeganwila with the financial assistance from the State.

settlements[2], commitments have been made to ensure the participation and consultation of adivasi community in the process. The Government's policy towards its adivasi citizens and their inclusive role in the development process has taken into consideration their specific aspirations and their cultural identity and way of living. They enjoy all other rights enjoyed by the citizens of Sri Lanka. See also paragraph 165-167 in this regard.

Combat corruption and impunity [Paragraph 12]

22. Sri Lanka as a State Party to the UN Convention Against Corruption, remains committed to effectively implementing its provisions. The Government put in place enabling legislation, which seeks to give effect to the Convention, with the Independent Commission to Investigate Allegations of Bribery or Corruption, charged with investigation and prosecution of offenders. Sri Lanka submitted the Comprehensive Self-Assessment Check List to the Secretariat of the Convention and has completed the country visit of the reviewing State Parties in 2013.

23. The enactment of the 19th Amendment to the Constitution provides in terms of Article 156 (A) (1) that Parliament shall by law provide for the establishment of a Commission to Investigate Allegations of Bribery or Corruption. According to Article 156 (A) (1) (a) of the 19th Amendment to the Constitution, such law shall provide for the appointment of the members of the Commission by the President on the recommendation of the Constitutional Council. Article 156 (A) (1) (b) empowers the Commission to direct the holding of a preliminary inquiry or the making of an investigation into an allegation of bribery or corruption, whether of its own motion or on a complaint made to it. Article 156 (A) (2) further provides that until the Parliament enacts legislation to establish the Commission to Investigate Allegations of Bribery or Corruption, the current Commission to investigate Allegations of Bribery or Corruption Act, No. 19 of 1994 shall apply subject to the modification that it shall be lawful for the Commission appointed under that Act, to inquire into, or investigate, an allegation of bribery or corruption, whether on its own motion or on a written complaint made to it.

24. The Commission to Investigate Allegations of Bribery or Corruption, established by Act No. 19 of 1994, is given the primary mandate to investigate allegations of offences committed under the Bribery Act or the Declaration of Assets and Liabilities Law, No. 1 of 1975 and to direct the institution of proceedings against such person for such offence in the appropriate court. The Act came into operation on 15th of December 1994.

25. The authority of the Commission may be invoked by any individual writing to the commission under Section 4 of the Act. Section 5 provides for considerable powers vested in the Commission in the conducting of an investigation. Where an offence is disclosed, the Commission (as per section 11) shall direct its Director General to institute criminal proceedings against such persons in the appropriate court. Indictments under the hand of the Director General is receivable in the High Court.

26. As an independent body accountable only to Parliament, a Member of the Commission can only be removed from office by order of the President, made after an address of Parliament supported by a majority of the Member of the Parliament (including those not present) and having been presented to the President for such removal on grounds of proved misconduct or incapacity.

27. Initially, offences relating to bribery were provided for in the Penal Code. In 1954, the legislature adopted the Bribery Act No. 11 of 1954 under which the Bribery

[2] Facilities such as pre-schools, housing, sanitary and community and religious centers were provided at the State party's expense to facilitate a smooth resettlement process.

Commissioners Department was established. Although bribery was a punishable offence, the law did not recognize "corruption" as a punishable offence. This lacuna was rectified with the passing of Act No. 20 of 1994 which was an amendment to the Bribery Act No. 11 of 1954 and thereby provisions were made to combat both "bribery" and "corruption".

28. In addition to the establishment of the Commission to Investigate Allegations of Bribery or Corruption, in terms of the Declaration of Assets and Liabilities Law No. 1 of 1975, Public Officers, Judges, Members of Parliament, Directors of Public Corporations etc., are compelled to make periodic declarations of their assets and liabilities in and outside Sri Lanka.

29. The Commission has taken various steps to build public awareness on bribery and corruption such as:

- Seminars and workshops organized in government institutions
- Organizing Essay & Art Competitions for school children
- Poster campaigns
- Radio and television advertisements
- Distribution of handbills
- Putting up stalls at various government events with the aim of enhancing public awareness on issues relating to bribery and corruption

Capacity building

30. Local and foreign training programmes are offered to enhance the expert knowledge of the prosecutors and the investigation officers of the Commission.

In country training

31. With the funding of the UNDP, several training programmes on Court procedure; administration & financial procedures, tenders & procurement procedures were conducted for the prosecutors and the investigation officers of the Commission.

32. Furthermore, several in house workshops funded by the UNDP, have been held for judges to enhance their knowledge and to provide them an opportunity to follow transparent operational procedures to ensure that offenders under the Act are brought to justice.

Foreign Training / Seminars / Workshops / Meetings

33. The following international organizations, had offered several training programmes on anti-corruption for the prosecutors & investigators at the Commission:

- Malaysian Anti- Corruption Academy
- United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), Japan – Organized by Japan International Cooperation Agency (JICA)
- A regional institute of the United Nations Crime Prevention and Criminal Justice Programme Network
- The Defence Institute of Legal Studies , New Port, Rhode Island, USA
- Corrupt Practices Investigation Bureau – Singapore (Singapore Cooperation Programme)
- Independent Commission against Corruption (ICAC), Hong Kong

United Nations Convention against Corruption

34. This Convention obliges member states to take necessary steps to identify the gaps between the Convention and the existing laws in the State Party.

35. On the request of the focal point appointed by H.E. the President, a team of National Consultants consisting of senior officials from the Attorney General's Department were appointed by the Hon. Attorney General, entrusted with the task of identifying the above gaps.

36. The National Consultants have submitted a gap analysis report and it was approved by the Consultation Committee which consisted of the Hon. Attorney General, Legal Draftsman, Chairman of Bribery Commission, Secretary of Ministry of Justice and the Legal Adviser of Ministry of Foreign Affairs. The same report was forwarded to the United Nations Office of Drugs and Crime.

37. Apart from the Bribery and Corruption Act, there are various existing laws and institutions to combat corruption in Sri Lanka.

Prevention of Money Laundering Act No. 5 of 2006

38. Pursuant to the Act, "money laundering" is defined as engaging directly or indirectly in any transaction in relation to any property which is derived or realized, directly or indirectly, from any unlawful activity or from the proceeds of any unlawful activity or receives, possesses, conceals etc. any property which is derived from any unlawful activity. The unlawful activities include those specified by law, and includes offences such as terrorism, bribery, exchange control offences, cybercrimes, pyramid schemes, trafficking in persons, offences against children, offences under the Firearms & Explosives Ordinance etc. The Act was further strengthened by way of Amendment Act, No. 40 of 2011 which expanded the applicability of the law to cover any person who has committed a money laundering offence while in Sri Lanka. Section 11(2) of the Amendment Act also provides for the recovery of corresponding value of the properties realized through unlawful activity if such account, property, investment, income, profit or instrumentalities cannot be traced.

Financial Transactions Reporting Act No. 6 of 2006

39. The Government enacted the Financial Transactions Reporting Act No. 6 of 2006 with the objective of collecting data relating to suspicious financial transactions. The Act also facilitates the prevention, detection, investigation and prosecution of offences of money laundering. This Act requires certain institutions to undertake due diligence measures to combat money laundering and the financing of terrorism.

40. Pursuant to this Act, institutions cannot proceed to execute any transaction in instances where it cannot adequately identify the identity of the person involved and must report such transaction to the Financial Intelligence Unit (FIU). One of the most important obligations under the Act is that an institution is required to report transactions in cash or by way of electronic funds transfer in excess of the specified limit. The Institutions are also obliged under the Act to report transactions which an Institution has reasonable grounds to suspect may be related to any unlawful activity.

The Financial Intelligence Unit (FIU)

41. A Financial Intelligence Unit has been set up in the Central bank to carry out the functions prescribed in the Prevention of Money Laundering Act and the Financial Transactions Act. In a situation where a transaction fails to provide satisfactory evidence and if it is bound to arouse suspicion, the institution should not proceed further with the

transaction but must report the attempted transaction as a suspicious transaction to the Financial Intelligence Unit.

42. As such, the country has taken due measures to adopt a legislative frame work which is dedicated to prevent, investigate and prosecute instances of bribery and corruption.

Discrimination of plantation workers and their families and Tamils of Indian origin [Paragraph 13]

43. Living conditions of approximately 169,000 estate worker families, particularly the Tamil people (of Indian origin) in the estates, are being addressed through several initiatives undertaken by line agencies including the former Ministry of Plantation Industries through the Plantation Human Development Trust (PHDT) as below.

Housing

44. Construction of individual houses of 550 sq. ft extent on 7 perch land was approved by Cabinet as a Government policy and a cluster based housing programme with water supply, sanitation, access roads, electricity, community centres, child development centres and temples and other common facilities has been formulated and implemented to improve the dignity of life of the plantation community. The PHDT extends support to the Ministry of Plantation Industries to issue initially the possessional deeds and finally the title deeds to both spouses to ensure co–ownership, gender equality and empowerment. Initiating the work, possessional deeds were issued for 230 families in Nuwara Eliya and Badulla regions, and at Talawakelle on May 10, 2015. So far, 1,098 possessional deeds have been issued for these families. Indian Grant Funding project for 4,000 houses commenced in January 2015 in the regions of Badulla, Nuwara Eliya and Hatton, as a priority of the Government's 100 Day Work Programme. The project is expected to be completed in 2017 in 02 Phases (Phase I – 1,034 and Phase II – 2,966).

Re-roofing of existing dilapidated 1000 line rooms

45. Ministry of Plantation Industries is re-roofing 1000 line rooms in all 7 plantation regions mainly to improve and upgrade the dilapidated line rooms. Re-roofing is an interim measure since construction of large number of new houses is costly and time consuming. Procurement has been completed for 266 units.

Safe drinking water supply and health

46. Water supply projects are being implemented in 7 plantation regions to provide safe drinking water for 1,054 families covering 4,743 population. 3 projects have been completed. In addition, under the basic facility construction programme, 27 drinking water supply projects were selected benefitting 3,607 families in 17 estates. Construction / improvement works were commenced under the supervision of relevant Divisional Secretariats. With regard to health improvements, Ministry of Health conducted a critical situational analysis to measure the impact of existing programmes to improve health facilities in estate sector and identify areas for improvement. Consequently, special programmes were conducted in the estate sector to promote nutrition and develop infrastructure. Qualified Public Health Midwives have been appointed to all the estates. Further, community groups have been formed to channel medical health information through them. Ministry of Women's Affairs conducted 10 Programmes on Prevention of Teenage Pregnancies in Nuwara Eliya District in collaboration with Plantation Trust Board.

Repeal Citizenship Act No. 18 of 1948

47. Citizenship Act No. 18 of 1948 was amended at several occasions, by Amendment Acts, No. 40 of 1950, No. 13 of 1955, No. 45 of 1987, No. 15 of 1993, No. 43 of 1993, and No. 16 of 2003, respectively. Significant changes made by these amendments were as follows.

- Provisions were made on resumption of citizenship and restriction on dual citizenship by the Act No. 40 of 1950
- Registration as citizens, of persons registered in a resident guest scheme, under part III of Immigrants and Emigrants Act, was provided by the Act No. 43 of 1993
- Earlier the right of citizenship by descent was limited only to the paternal descent. With the enactment of the Amendment Act No. 16 of 2003 it was extended to the maternal descent with effect from the appointed date (1948-11-15) of the Citizenship Act

48. The Government enacted the Grant of Citizenship to Persons of Indian Origin (Amendment) Act No. 35 of 2003. This Amendment provides that every person who had been a permanent resident of Sri Lanka since October 30th, 1964 or was a descendent resident of Sri Lanka since October 30th, 1964 shall be granted the status of a citizen of Sri Lanka and is entitled by law, in like manner and to the same extent, to all the rights and privileges to which a citizen of Sri Lanka is entitled. Thus, it is now ensured that there is no discrimination against citizens of Indian origin in Sri Lanka and that they would enjoy the same rights, privileges, and entitlements to which any other Sri Lankan citizen is entitled to. Statelessness in Sri Lanka is currently zero.[3]

National Policy on Disability and to strengthen its efforts to promote inclusion of persons with disabilities into the labour market [Paragraph 14]

49. While Article 12 guarantees Right to equality, Article 12 (4) of the Constitution specifically provides that "Nothing in this Article shall prevent special provision being made by law, subordinate legislation or executive action, for the advancement of women, children or disabled persons." The Government has continued to promote the right to work and employment of persons with disabilities through the issuance and renewal of Public Administration Circulars which allocates 3 percent of the employment opportunities for Persons with Disabilities (PWDs).

50. The Protection of the Rights of Persons with Disabilities Act No. 28 of 1996 provides for the establishment of a National Council for Persons with Disabilities. The Council shall inter alia consist of members who represent persons with disabilities and any bodies which are engaged in providing services to persons with disabilities including self-help organizations of persons with disabilities. The principal function of the Council shall be to ensure the promotion, advancement and protection of the rights of persons with disabilities. Further to provisions of the said Act, the Disabled Persons (Accessibility Regulations) have also been made and published in the Gazettes dated 17th October 2006 and 18th September 2009 respectively, wherein regulation have been promulgated with regard to public buildings, public places and to places where common services are available, to which buildings, places and services persons with disabilities have access. The Elections (Special Provisions) Act No. 28 of 2011 was incorporated in to the overall legal

[3] See Statistical Snapshot in UNHCR website http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e4878e6&submit=GO.

framework of the country. This legislation allows a voter who is subject to disability to be accompanied by a person when voting at elections.

51. Furthermore, a Cabinet memorandum was approved by the Cabinet on "Recognizing Sign Language as an accepted Language" on 26th Aug 2010. The Ministry, in collaboration, with the Ministry of National Language and Social Integration is taking necessary action to promote sign language in Sri Lanka.

52. In July 2003, the Government launched a National Policy on Disability which consists of 26 sectoral policy areas. Some of the pertinent areas that have been highlighted in the Policy are employment, vocational training, skills development, education and poverty alleviation.

53. The Government has taken initiatives to promote the advancement of the PWDs, such as a monthly livelihood allowance of LKR 3,000 covering 11,216 families. A grant of LKR. 250,000 is paid as an allowance to cover the expenses of construction and improvement of houses. An allowance of LKR 25,000 as self-employment assistance is also awarded for the PWDs. The State party has continued to provide devices such as wheel chairs, crutches, and spectacles covering many areas of the island. Moreover, braille methodology and sign language courses are being conducted for the public servants in order to strengthen the communication and public services between them and the PWDs.

54. Department of Social Services has established 5 Vocational Training Centres for PWDs in three Districts, where two year residential training programmes are being conducted. The trainees who have successfully completed the training programme have been issued certificates with a set of tools worth LKR.10,000. The Department of Social Services has signed a MoU with the Republic of South Korea (Sister School Vocational Training Assistance Programme) to develop and to equip the Seeduwa Vocational Training Centre as a recourse centre with the latest technology and has also collaborated with the World Bank to provide Vocational Training for PWDs in eight Districts. Under the Counselling Unit of the Ministry of Social Services, 97 Counselling Assistants are attached to Divisional Secretariats to provide necessary counselling services, awareness, leadership, coordination and individual personality development services with the use of psychological methodologies.

Ratification of the Convention on the Rights of Persons with Disabilities and its Optional Protocol

55. The consultation process for the ratification of this Convention is underway with a view to ratify the same at an early date.

Discriminatory laws [Paragraph 15]

Equal rights for women

56. The Article 12 of the Constitution of Sri Lanka guarantees equality before the law and equal protection of law, and prohibits discrimination on grounds of sex. Sri Lanka is party to the Convention on Elimination of Discrimination Against Women since 1981. As a State Party to the Convention, Sri Lanka submitted its eighth periodic report to the Committee on the Elimination of Discrimination Against Women in May 2015 and continuous to follow the recommendations of the Convention. The report too provides substantial information on progress achieved in promoting equal rights in socio-economic and cultural spheres.

57. The Women's Charter of 1993 ensures that all rights of women are met equally when composing laws. Article 12 (2) of the Constitution provides that no citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political

opinion, place of birth or any such grounds. As per Article 12 (4) of the Constitution special provision could be made, by law, subordinate legislation or executive action, for the advancement of women, children or disabled persons.

Discriminatory Laws

58. The Citizenship (Amendment) Act No. 16 of 2003 which came into operation with effect from April 1st 2003, removed the discriminatory provision which stated that citizenship could only be passed on to off springs by males. Women now enjoy equal rights with men with regard to the nationality of their children. Significantly, the Act conferred this right retrospectively, for the offspring who had been denied citizenship due to the said discriminatory clause, to apply for citizenship at their discretion.

59. Furthermore, in order to address gender based disparities pertaining to land inheritance, a bill to amend the Land Development Ordinance to recognize equal rights to succession to land was submitted to the Parliament but was required to be referred to Provincial Councils in compliance with Constitutional requirements and is currently under review.

Muslim Personal Law

60. Sri Lanka recognizes the existence of customary laws which are applicable to particular communities in the country. Muslim Marriages and Divorce Act (1951) do not specify a minimum age of marriage, and efforts to reach a consensus with the Sri Lankan Muslim community on reforming this law are ongoing. However, the reported percentage of underage Muslim marriages have gone down significantly in the recent past. Underage marriages therefore cannot be considered a traditional or systematic practice in Sri Lanka among the Muslim community and there is considerable public awareness regarding the minimum age of marriage.

Stable employment opportunities for women and the young [Paragraph 16]

61. Further to its commitment for the promotion of stable employment and decent work, the GoSL adopted in September 2012 the National Human Resources and Employment Policy (NHREP) which serves as an overarching framework providing guidelines to several existing national policies related to employment and human resources. The NHREP aims at full, productive and freely chosen employment for all women and men in Sri Lanka and works towards a highly competent, globally competitive, multi-skilled and productive workforce in the country. The NHREP has identified nineteen main areas for intervention and these areas have been categorised into five main pillars in order to develop strategies for implementation. Results based implementation framework has been prepared consisting of actions, guidelines, outputs, outcomes and key performance indicators. Government Ministries, the Employer's Federation of Ceylon, Ceylon Chamber of Commerce and the Federation of Chambers of Commerce and industry of Sri Lanka (FCCISL) and Trade Unions and other social partners were involved in the preparation of the Detailed Action Plan to implement NHREP. The Coordinating and Monitoring Unit for the Implementation of the NHREP was inaugurated in June 2014.

62. An integral part of this policy is to entrench a network of one stop career centres throughout the country to provide information on training, career guidance and counselling, career planning and other employment related services. Awareness and promotional programmes have also been conducted by the Small Enterprise Development Division, under the guidance of the Ministry of Youth Affairs to inculcate positive attitudes and encourage more of the country's youth to venture into entrepreneurship.

63. National Vocational Qualifications (NVQs) were awarded to most vocational training courses conducted by the Training Institutions under the purview of the aforementioned Ministry thereby preparing a trainee to enter into local as well as global job market.

64. The National Apprentice and Industrial Training Authority (NAITA) is engaged in developing a fully equipped art training centre to conduct vocational training courses up to the Diploma level. Furthermore, a day care centre which could accommodate 100 kids has also been established in each of these centres to promote the widowers engagement in Technical Vocational and Educational Training (TVET).

65. Tailor made courses and Diplomas in Vocational Training, specifically in the areas of beauty culture, photocopy training and aluminium fabrication are conducted by the Vocational Training Authority (VTA) for the differently abled youth.

66. Technology was recently introduced as a subject for the Advance Level students to minimize the rate of drop outs from the Conventional university entrance exams and also with the intention of introducing new paths for their higher studies.

67. It is also noteworthy to mention the In-country Youth Exchange Program, which is formed to support and build intercultural and ethnic understanding among the Sri Lankan youth who come from multi ethnic and multi-cultural background.

Targeted Programmes for Youth in North and East

68. Owing to a brutal conflict that raged for three decades, youth in the former conflict affected Provinces were in an unprivileged situation and were unable to engage in income generating activities. This also meant that their skills were not updated to meet the needs of a changing and a competitive labour market. Recognizing this, the National Youth Services Council has taken steps to conduct skills development programs in order to enhance the life skills, social skills and vocational skills of the youth in the Northern –Eastern parts of the country.

Risk of losing employment due to the withdrawal of the GSP

69. The Government is currently engaged in discussions with the European Union (EU) regarding the restoration of GSP Plus status to Sri Lanka.

Legislation on prohibition of direct and indirect discrimination in employment [Paragraph 18]

70. The Constitution of Sri Lanka provides protection for all employees without any discrimination both in private or public sectors. Fundamental Rights of the citizens are guaranteed by the Constitution and any citizen is free to choose his/her occupation. Article 12, 14 and 17 of the Constitution are of particular relevance in this regard.

71. Every person shall be entitled to apply to the Supreme Court, as provided by Article 126, in respect of the infringement or imminent infringement, by executive or administrative action, of a fundamental right to which such person is entitled under the provisions of the Constitution.

72. Women's participation in government policy formulation, holding high-level public positions and performing public functions at all levels of government continues to increase. With a strong gender neutral recruitment policy backed by Constitutional guarantees of equality, an increasing number of women are engaged in all levels of the public private, administrative and the corporate sectors. At present Sri Lankan women holds top ranking positions such as Secretaries of Ministries, Heads of Diplomatic Missions and the Judiciary.

73. In order to promote political and civil rights of women mentioned in the Women's Charter, one year Diploma Course is being conducted free of charge with the support of National Institute of Social Development in order to increase women representation in politics. Women community leaders were selected to this diploma course and total financial cost is borne by the National Committee on Women. This Diploma course is also conducted in Tamil medium focusing on women in the North and East. An in house programme in the Department of Agrarian Development, Vavuniya was conducted recently with 50 participants.

Ensure minimum wages for all workers [Paragraph 19]

74. Remuneration for private sector workers in Sri Lanka are determined by the Wages Boards and Collective Agreements. The Wages Boards in Sri Lanka are based on the sectors (Industry), whereas the Collective Agreements are based on individual enterprises.

75. The Wages Boards are summoned from time to time with the participation of the relevant stakeholders to fix and enhance the minimum wages. In this process, the minimum wages for occupations in specific industries are determined by a tripartite body established under the Wages Boards system. The parties involved in this processed here and follows the principle of equal pay for work of equal value. In Sri Lanka collective agreements are exclusively enterprise based. The sustainability of the enterprise plays an important role in the process of setting up of wages through collective bargaining. The wages of a specific occupation may vary from one enterprise to another depending on its sustainability.

76. Collective agreement plays a significant role in determining the minimum wages of the plantation sector which comes under the Wages Boards. At present the minimum wage of the plantation workers is significantly higher than the minimum wages of other sectors. In 2013, Sri Lanka's tea and rubber estate workers achieved an 18 percent hike in their basic daily wage as a result of a collective agreement between representatives of Trade Unions of the plantation workers and the Employers Federation.

Legislation to prevent sexual harassment at work [Paragraph 20]

77. Sexual harassment is a criminal offence in Sri Lanka. Section 345 of the Penal Code criminalizes, inter alia, causing sexual harassment by assault or use of criminal force, or causing sexual harassment or annoyance by the use of words or actions. It further provides that unwelcome sexual advances by words or action used by a person in authority to a working place or any other place constitutes the offence of sexual harassment. Section 365 B and 364 criminalizes grave sexual abuse and rape. Section 364 (2) (a) criminalizes a public officer or a person with authority committing rape on a woman taking advantage of the official position of such officer.

78. Family Health Bureau (FHB) is the focal point for women's health within the Ministry of Health. Primary Health care workers in all districts have been trained in the areas of prevention and management of Gender Based Violence (GBV). The training materials have been developed in all 3 languages and a Communication Package has also been developed to support and stregnthen the community against GBV.

79. In line with the Prevention of Domestic Violence Action Plan, the Ministry of Women's Affairs established a shelter for victims of GBV in 2012 and has provided services for nearly 50 women. The Ministry has also allocated funds to put up shelters in the North and East.

Protection of female migrant workers and development of employment opportunities for women within the country [Paragraph 21]

80. It has been a debate in Sri Lanka whether sending women migrant workers is economically and socially beneficial. As a result, Sri Lanka is at present, experiencing an increase of departure of male migrant workers (21.45% in 2013) while decrease in departure of female migrant workers (by 14.64 in 2013). It has also been found that departure of housemaids have also decreased (by 18.55% in 2013). Majority of migrant workers have departed through licensed migrant agencies (61.6% in 2013).

81. The Government has been proactive in promoting local employment via initiatives such as rural development and micro credit schemes. Catering to a diverse range of consumers in the low income strata, micro credit initiatives spearheaded by public and private financial institutions have rendered an invaluable service in uplifting socio economic status of these vulnerable segments of the population. The fruition of these policies in the medium to long term will preserve more human capital within the local economy, making foreign employment a less attractive option for locals. A pre-Departure training programme for migrant workers has been strengthened. Labour sections of Sri Lankan Missions abroad consist of officers from the Sri Lankan Bureau for Foreign Employment (SLBFE) who mediates disputes between conflicting parties. The roles of labour attaches are streamlined with the introduction of new operational manuals with the assistance of the International Labour Organization (ILO).

82. The SLBFE operates a 24 hour hotline and an information centre in Sri Lanka to receive inquiries/complaints from Sri Lankan migrant workers around the world. The SLBFE requires prospective migrant domestic workers to undergo a pre- departure medical examination, and those with no prior experience working in the Middle East must complete the SLBFE's free 12-day training course. Since July 2010 the pre departure training for housemaids has been made compulsory. This also includes male employees to Middle Eastern countries. The SLBFE officers upon request, also look into the welfare of families and the children of migrant workers who are left behind. Assistance and support is provided to them in their education and other needs.

83. The SLBFE and the Department of Labour in collaboration with the International Organization for Migration (IOM) and under the direct supervision of the National Anti-Human Trafficking Task Force led by the Ministry of Justice, organized a regional training programme in August 2014 in Amman, Jordan on the identification, protection and referral of victims of human trafficking for officers based at Sri Lankan overseas missions in the Middle East region. This training was organized with the objective of sensitizing these officers on human trafficking, its laws, the identification of victims, providing protection services and referrals.

84. The Ministry of Foreign Employment has established an island-wide organization called "Rataviruwo Foundation" for the promotion of economic, social and cultural rights of the migrant workers and their families who reside in Sri Lanka. The organization has been active in implementing programmes such as scholarships for children of the migrant workers and housing development programmes for the migrant workers. Furthermore, the Ministry has instituted resource centres in every District to serve the needs of the migrant workers.

Freedom of association and trade unions activities [Paragraph 22]

85. Sri Lanka fully recognizes and respects the freedom of association and Article 14 (1) (a) of the Constitution and Article 14 (1) (d) recognizes the freedom to form and join trade unions. Further, a number of initiatives such as establishing facilitation centres in the export processing zones (in order to promote and ensure freedom of association), strengthening the

investigation procedure of Unfair Labour Practice (UPL), addressing the delays in prosecution of UPL, have been implemented in order to ensure the practice of Freedom of Association in the private sector.

86. In terms of section 32 A of the Industrial Disputes Act No. 43 of 1950 it is considered an unfair labour practice for an employer to coerce/force an employee to join or refrain from joining a union as a condition of employment.

Freedom to form and join trade unions

87. Trade Unions Ordinance of 1935 defines a "Trade Union" in section 02 as any association or combination of workmen or employers, whether temporary or permanent, having among its objects one or more of those specified in the Ordinance.[4]

88. There are a number of provisions in the Trade Unions Ordinance designed to protect the right of trade unions to function freely. Section 26 of the Ordinance provides trade unions immunity from civil action in certain cases. According to Section 29, the objects of a registered trade shall not by reason only that they are in restraint of trade be deemed unlawful so as to render any member of such trade union liable to criminal prosecution for conspiracy or otherwise or to render void or voidable any agreement or trust.

89. The right to strike is not explicitly conferred by statutory laws of Sri Lanka. However, Section 18 (b) of the Trade Union Ordinance provides that that as a consequence of non-registration, the trade union shall not, nor shall any of its officers or agents on behalf of the union, take part in any trade dispute or promote, organize or finance any strike or lock-out, or provide pay or other benefits for its members during a strike or lock-out; Further, Section 26 and 27 of the Trade Unions Ordinance, grants protection to trade unions and their members against civil and tortious acts done in furtherance of trade disputes.

90. Recognition of right to collective bargaining by the Industrial Dispute Act further strengthens rights of trade unions which defines collective bargaining as bargaining between any employer or employers and workers, or trade unions of workers on terms and conditions of employment and other related matters. These provisions create the legal environment for trade unions to function freely in the attainment of their objectives.

91. Sri Lanka is a party to the ILO Freedom of Association and Protection of the Right to Organize Convention (No. 87) and Right to Organized and Collective Bargaining Convention (No. 98).

Poverty alleviation and social assistance programmes [Paragraph 23]

92. Sri Lanka has manifested considerable progress in reducing poverty over the last years from 15% in 2005 to 8.9% in 2011 with a balanced fusion of macro and micro economic development policies and strategies. For instance, poverty in the estate sector has declined significantly from 32% to 11.4% and in the rural sector from 15.7% to 9.4%, with a moderate decline in poverty in the urban sector to 5.3 per cent. The poverty headcount index for 2012/13 was 6.7 which was a decrease from 8.9 in 2009/10. In 2012/13

[4] However, any association or combination of judicial officers, members of the armed forces, police officers, prison officers, members of the agricultural corps established under the Agricultural Corps Ordinance are deemed not to be a trade union and the Trade Unions Ordinance does not apply to them (Section 20 (2) of the Ordinance).

approximately 1.3 million individuals were in poverty. During the previous survey year 2009/10 it was 1.8 million. This represents a 0.5 million decline from 2009/10 to 2012/13.[5]

93. The government's effort at improving the basic regional infrastructural facilities has had a positive impact on the low-income households. At the same time, the high growth rate in the agriculture sector during the last five years has contributed to the significant decline in rural poverty. In the meantime, the unemployment rate was estimated to have declined to 4.1 per cent, during the fourth quarter of 2013. These statistics reflect the success of the GoSL in operationalizing poverty alleviation policies with an inclusive and broad based focus.

94. Whilst launching massive macro level development programmes such as the construction of Harbours and Airports, Highways, promotion of Tele Communication, Tourism and Township Planning and Development with a view to make Sri Lanka the Hub of Transport, Tourism and Communication aiming at economic growth, the simultaneous execution of Village-Centered Rural Development programmes such as Gama Neguma (Village Uplifting Programme) and Divi Neguma (Livelihood Development Programme) endeavour to empower people who are in need of such support.

95. The main objective of the Livelihood Development Programme is to encourage a wide range of economic activities and services to insulate households from various market vulnerabilities as well as to promote a healthy family lifestyle, particularly in the rural Sri Lanka. It envisages developing the rural economy in a sustainable manner creating semi urban and rural economic centres throughout the country.

96. The Department of Divi Neguma was established by merging the Sri Lanka Samurdhi Authority, the Up Country Development Authority and the Southern Development Authority by the Divi Neguma Act No. 1 of 2013. The key objectives of this department include:

- Carry out development activities to alleviate poverty and to bring about a society guaranteeing social equity
- Promote the individual, family, group and community centered livelihood economic development activities
- Ensure food security for each individual and family
- Provide micro-financial facilities for the purpose of promoting the livelihood development of people

97. The National Human Resources and Employment Policy has arranged subcontracting arrangements between small and medium scale enterprises to improve job opportunities in under privileged and under developed regions. At the same time, large-6scale private sector establishments are encouraged to get involved, so that the latter will find it profitable to outsource their business activities to the former.

98. The GoSL envisages a universal social protection scheme and the necessary actions will be taken to establish a basic "social protection floor" which would offer a package of benefits that would ensure: access to basic health care; income security to all children at the level of an appropriate poverty line by providing access to nutrition, education and care; targeted income support to the poor and the unemployed in the active age group; and income support to all elderly residents, or those with disabilities.

[5] Department of Census and Statistics, Poverty Indicators, Household Income and Expenditure Survey – 2012/13.

Violence against Women [Paragraph 24]

99. The Prevention of Domestic Violence Act, No. 34 of 2005 provides for the issue of Protection Orders (POs) where acts of domestic violence have been committed or are envisaged. It provides for the procedure to obtain a protection order in response to domestic violence. Marital rape is recognized in cases where parties are judicially separated.

100. The National Committee on Women has embarked on an island wide programme to monitor and implement the Prevention of Domestic Violence Act. These involve conducting of awareness seminars to sensitize women to the provisions of the Prevention of Domestic Violence Act, the opening up of shelters, counselling, centres for abused women & children under protection orders of the new legislation.

101. A national campaign[6] "STOP Rape Now" and 16 days of activism based on the theme "Peace from Home to Peace from Community" from 25th November– 10th December 2011 in five districts i.e. Anuradhapura, Hambantota, Nuwaraeliya, Batticaloa and Ampara. This campaign was re-launched in 2012 to mark International Women's day. Through this campaign the Ministry of Child Development and Women's Affairs aims to create nationwide awareness on rape through the network of Women Development Officers – (WDO) in Divisional Secretariats, women societies, clergy, social organizations and NGOs.

102. Workshops on "Men too can make a Difference" to engage men in addressing Gender-Based Violence (GBV) was also launched. This was a pioneering step with the engagement of the male parliamentarians, policy makers and the military to educate them on the role of men in addressing GBV.

103. The Ministry of Women's Affairs is in the process of setting up counseling centres in selected districts to provide counseling for victims of violence. Victim assistance is provided to children subject to violence and abuse as a form of psychosocial support for the purpose of rehabilitation and reintegration of them into the society. Case management guidelines have been developed for the successful management of issues of children in need of care and protection and relevant field officers were trained on utilizing of the guidelines for development.

104. The Government set up the Bureau for the Protection of Children and Women within the Police Department in 1994 to deal with women's and children's issues. There are Children and Women Bureaus established in all 438 Police Stations island wide. 43 Divisional Children and Women Bureaus operate in all territorial Police Divisions which are handling specific crimes committed against women and children.

105. Child & Women Development Units are operational at Divisional Secretariats in Mullaitivu, Kilinochchi, and Jaffna Districts to enable field officers to provide services to build secure environment for women and children. In addition, "Prevention of sexual and gender based violence fora" have been established in Jaffna and Vavuniya District Base Hospitals. Health, security and legal assistance is provided for women hospitalized as a result of gender-based violence.

Training programmes

106. Sensitization programmes on prevention of violence against women and protection of women's rights are conducted for Police and Security Officers, Community Leaders and members of the public as a regular feature of the programmes of the National Committee on Women and Sri Lanka Women's Bureau. In addition, a Documentary Film in Tamil

[6] Former Ministry of Child Development and Women's Affairs.

medium on Preventing Domestic Violence and other forms of harassment will be screened at programmes conducted in the North, East and Estate areas. Special focus will be on women who were affected by the armed conflict in the North and East. Also, a series of programmes was broadcast via Sri Lanka Broadcasting Corporation both in Sinhala and Tamil on topics including prevention of harassment of women; Prevention of Domestic Violence Act No. 34 of 2005; preventing pregnancy of teenage girls; and the functions of the Gender Complaints Centre.

107. Training on prevention and management of GBV is also included in the training of Public Health Midwives and Primary Health Care Workers, who are at the forefront of the health service delivered to women and who have direct access to families. Specialized resource personnel have been incorporated for the purposes of training these individuals.

Criminalize marital rape in all circumstances [Paragraph 25]

108. The Government would like to reiterate to the Committee the sensitivity of the topic of marital rape. Given the multicultural societal fabric of the country, it has to be emphasized that achieving an overarching consensus from all stakeholders of the society on a controversial topic such as the above is indeed challenging and difficult. However, in cases of judicial separation of the parties marital rape is recognized as a criminal offence.

Measures to combat child labour[Paragraph 26]

109. Employment of children in Sri Lanka is regulated by the Employment of Women Young Persons and Children Act No. 47 of 1956. According to the said Act, a child is defined as a person who is under the age of 14 years and a person who has attained the age of 14 years but is under 18 years of age is defined as a "young person". Section 20A of the Act prohibits persons under eighteen years of age being used in hazardous occupations. Further, Debt bondage, serfdom forced or compulsory labour, slavery and recruitment of children for use in armed conflict are criminalized under section 358A of the Penal Code.

110. Formal Institutional mechanisms are in place to investigate and address issues relating to allegations of worst forms of Child Labour. The institutional cluster comprises of: The Ministry of Labour and Labour Relations, State Ministry of Child Affairs, Ministry of Women's Affairs, Ministry of Justice, Department of Labour, National Child Protection Authority, Department of Probation and Childcare and the Department of Police.

111. As mentioned above there is a great deal of inter-agency and inter-ministerial cooperation to probe child labour complaints. These complaints are probed expeditiously by the Department of Labour (DoL), the Women & Children Affairs Division of the DoL, the National Child Protection Authority, Department of Police, Department of Probation and Childcare collect necessary information and evidence in order to file action against alleged violators.

112. Further, a training manual on young workers which includes Child Labour and Hazardous Work was prepared and distributed among the Labour inspectors, other enforcement officers and social partners. Training of the relevant personnel took place according to the guidelines given in the manual. Overall, these efforts have helped to streamline the process of prosecution related to Child Labour.

113. Policies to prevent child labour have been incorporated into the legal framework of the country. A National Plan of Action has been formulated by the DoL based on the Road Map on "Worst Forms of Child Labour" in order to address this issue. The Roadmap identifies children in conflict affected zones, in estate regions and in poor rural areas as those most vulnerable to exploitive labour and prostitution. The National Steering Committee formed in October 2010 has improved coordination amongst members, and facilitates the integration of child labour issues and concerns within the policies and

programmes of its member organizations. The implementation of the Roadmap has adopted a zero tolerance policy on the worst forms of child labour, to be fully implemented by 2016.

114. Since it has identified that incidents on child labour are reported from the informal sector, greater attention has been paid in raising awareness among all stake holders of the community, especially, school children. Following initiatives were taken during the reporting period:

- Awareness programs for social partners focusing on the risk areas, via various modalities such as street dramas were conducted in Ampara, Batticaloa, Trincomalee and Polonnaruwa Districts. Moreover, popular media was instrumentalized, teledramas were produced by the Department of Labour to address the Worst Forms of Child Labour, and these were telecast in three prime TV Channels.
- Awareness programs in the estate sector, counselling programs in the Export Processing Zones (EPZ), and Awareness programs in the industrial sector (outside the EPZ) were conducted.
- 23 Children's Clubs have been formed by the National Child Protection Authority in the Northern Province with a view to making awareness on child abuse.
- Establishment of Quality Counselling Services in schools (counselling programs were conducted for school teachers by the NCPA).
- Provision of free meals, free books and uniforms to all school children by the Ministry of Education. A total of Rs.2400 million for distribution of free pupils text books and Rs.2738.3 million for school uniforms have been estimated for the Ministry of Education for the year 2014 as student welfare expenditure.

115. The remarkable social indicators achieved by the country in the recent years, such as the high enrolment rates in education, reduction of school drop-outs are clear manifestations of the declining rate of child labour in Sri Lanka.

Measures to prevent child exploitation [Paragraph 27]

116. Sri Lanka remains concerned that paedophiles travel worldwide including to Sri Lanka for sexual activity with children. Apart from the awareness programmes to address this issue, National Child Protection Authority (NCPA) has taken action to strengthen its cyber watch unit. This unit was re-launched in January 2014 with the objective identifying paedophiles via internet. NCPA is taking action under Act No. 50 of 1998 and the provisions in the Penal Code to prevent child abuse via internet and has arrested paedophiles by its cyber watch unit. After reviewing a variety of child abuse cases that had resulted from the unmonitored use of the internet by children, NCPA recently announced a decision to provide special training for parents to monitor their children's internet usage.

117. With a view to further strengthen action against child sex tourism and child abuse, NCPA requested support from embassies concerned to obtain information on registries of sex offenders in their respective countries. This internationally-networked operation has succeeded in barring foreigners identified as paedophiles from entering into the country in recent times. NCPA has also, requested from the tourists and other visitors to Sri Lanka from all over the world, to join hands with it to protect children by being alert and mindful of any suspicious, violent or abusive behaviour towards any child that they may encounter during their travel.

118. In 2013, Sri Lanka ranked first in the "South Asian Report on the Child friendliness of Government". NCPA, with the purpose of forming a child friendly society and child friendly villages to further strengthen the child protection system in grassroots level,

implemented the "Angel Network in Sri Lanka"- a Child Protection Advocacy Network, which marks the initiation of a system that can ensure children's protection and increase awareness on child safety in the village level. All the non- state actors in the field were invited to integrate to the Angel Network in order to participate in developing child related laws, policies and also to maintain child friendly villages. One of the main objectives of the Angel Network programme is to empower and integrate the non -state actors on protection of children against all forms of abuse and development of strong links on the grass root level.

119. Island wide awareness programmes continued to be held by the NCPA and the Tourist Police focusing mainly on children, travel guides and the coastal community close to tourist destinations with the objective of protecting children from exploitation. Tourist Police officers regularly visit tourist destination areas to monitor the situation.

120. In September 2011, a special project titled National Project for the Expeditious Processing and Passage of Cases of Child Abuse by the Criminal Justice System of Sri Lanka and For the Prevention of Secondary Victimization of Victims of Child Abuse was launched. The Attorney-General's Department, Ministry of Justice, Police and Ministry of Health work together as partners of this joint project, with the assistance of UNICEF.[7] The Pilot Project under this scheme was inaugurated in October 2011 in the High Court Zone of Gampaha. The operational area of the Pilot Project is now extended covering High Court Zones of Polonnaruwa, Anuradhapura, Batticaloa, Jaffna, Ratnapura and Embilipitiya. It is also proposed to expand the Pilot Project covering four more High Court Zones: Kandy, Nuwaraeliya, Kurunegala and Badulla.

Access to humanitarian food aid during the internal conflict [Paragraph 28]

121. The Consultative Committee on Humanitarian Assistance (CCHA)[8] was the chief institutional mechanism that observed the issues related to human security of the civilians in the Northern and Eastern Provinces of the country during the Humanitarian Operation. This Committee was attended by a multitude of national and international stakeholders such as Ambassadors who were involved in the peace process, heads of INGOs, and NGOs. CCHA met regularly and discussed issues pertaining to humanitarian assistance arising from the Humanitarian Operation. Successive Governments of Sri Lanka continued to maintain the supply of essential food and services, including educational and health services to the LTTE controlled areas, unimpeded during the entire period of its protracted conflict. Paragraphs 4.143-4.213 of The Lessons Learnt and Reconciliation Commissions (LLRC) Report comprehensively brings out the details of the supply of essential services to these areas. Irrespective of how difficult and challenging the situation was, the GoSL ensured the delivery of essential goods for the needy community. Records of the International agencies such as the World Food Programme (WFP) and the International Committee for Red Cross (ICRC) attest to this. Even during the very last stages of the

[7] Under this project, a mechanism of close supervision of child abuse investigations is established by requiring the Officer-in- Charge of the Police Station which receives a complaint on an incident of Child Abuse to submit a report to the respective Supervising State Counsel within 24 Hours of the receipt of the 1st complaint. The investigating officers are required to conclude the investigations within three weeks. The Judicial Medical Officers who examine the child victim will provide the complete Medico- Legal-Report within this initial period of three weeks, enabling the Officer-in-Charge of the Police Station to submit IB Extracts to the Attorney-General within a week there after. The Attorney-General will examine IB extracts submitted by the Police and conclude action within four weeks of the receipt of the same.

[8] For more regarding CCHA see the State party report submitted in 2008.

Humanitarian Operation, when the trapped population could not be reached by road, supplies were sent in through an ICRC ship that was escorted by the Sri Lanka Navy.

Realization of economic, social and cultural rights of internally displaced persons [Paragraph 29]

122. Following the termination of military operations against the LTTE in 2009, the GoSL has undertaken a gradual process of reduction of military presence in former conflict affected areas review of High Security Zones (HSZs) and releasing of land for resettlement of the internally displaced.

123. Under the present government, 1,000 acres of private land from then High Security Zone in Jaffna/ Palaly, hitherto used by the military have been released to the District Secretary to be handed over to the original owners. Action has already been taken to identify more lands to be released from these areas. In addition, during 2015, Ministry of Defence accelerated revoking of acquisition requests for 84 land plots to release 380 acres of private land in the North and East. Also, 18,525 acres of State land from Ponnaweli, Kilinochchi that was under the protection of Army has been released. Resettlement in Sampur area is identified as a priority action. Hence, an extent of 818 acres of land that was previously vested with the Board of Investment under a special grant was cancelled in 2015 and the Ministry of Lands is now in the process of divesting respective lands to the original owners. Furthermore, of the 237 acres of lands in Sampur where the Navy Training Center was established, 60 acres have been released and are now occupied by the original owners. On August 22nd, the President handed over land deeds to 234 war displaced families who are now resettled in these areas. Action will be taken to release the remaining extent to the Divisional Secretariat to initiate resettlement activities. Release of 1,000 acres of private land from High Security Zone in Jaffna and 237 acres of lands in Sampur in 2015 has enabled the recent resettlement of 1,171 families in Jaffna District and 253 families in Sampur Village. Discussions between the Defence Ministry and the Resettlement Authorities continue to identify more lands that can be released for resettlement. To date, 20,011 acres of private land and 5,740 acres of state land have been released in North and East.

124. All schools in the Northern Province used by the Sri Lanka military have been handed over to civilian use. The schools occupied by the LTTE were renovated by the Government and handed over to the respective zonal directors of education.

125. The UN Country Team, which includes UNHCR, is currently working with the Ministry of Resettlement & Hindu Religious Affairs and other relevant entities to work out resettlement plans for the internally displaced persons. The Ministry of Resettlement and Hindu Religious Affairs convened a Donor Consultation in this regard on 4th June 2015.

126. Ministry of Resettlement has resettled 232,952 families comprising 796,720 persons since 2009 in Northern and Eastern Provinces. Of this, 157,051 families comprising 521,081 persons have been resettled in the North while 75,901 families comprising 275,639 persons have been resettled in the East. As at end June April 2015, a further 13,459 comprising 44,934 persons are either living in Welfare Centers or with their friends and relatives. Resettlement of these families will be undertaken with the completion of demining in the relevant areas and the release of lands.

127. The Indian Housing project to construct 46,000 houses in North and East is being implemented. So far, 27,000 houses have been constructed. The European Union has agreed to provide 3,000 houses for the resettled communities in the North and East. This project will commence in September, 2015. Ministry of Resettlement has completed a needs assessment through District Secretariats of North and East Provinces and the District Secretariats of former threatened villages. Based on the results of the needs assessment, the

Ministry has formulated several Projects and submitted them to the Department of National Planning.

128. The Government is implementing a programme to grant legal ownership of land to displaced persons who have been resettled during post war period. In this regard, the Land Commissioner General has issued a detailed circular No. 2013/01 to guide the continuous monitoring of the activities for Provincial Land Commissioners and District and Divisional Secretaries of Northern and Eastern Provinces. Meanwhile, the Title Registration work has commenced in Nallur, Karachchi, Vavuniya North, Marithimepattu, MusaliManmune North, Vakarai, Ampara, Damana, Eravurpattu, Trincomalee, Kinniya, Kuchchuveli and Thambalagamuwa Divisional Secretariat Divisions. Surveying of lands are being done in five Divisional Secretariat Divisions of Manmunne North, Eravurpattu, Trincomalee, Kinniya and Kuchchuveli.

Equal enjoyment of economic, social and cultural rights through targeted measures [Paragraph 30]

129. The termination of the thirty years terrorist conflict in 2009 ensured that the country's human and physical capital could be channeled for constructive purposes and for the development of the country. As outlined in the response to paragraph 29 of the Concluding Observations, the government has also successfully undertaken the task of re-building livelihoods of people in the war-stricken areas and those areas have shown rapid developments especially in the field of agriculture, improving the income levels of the public.

130. The Government allocated vast national resources to the Northern and Eastern Provinces for the rehabilitation, resettlement and reconstruction processes. The Northern Province recorded a Provincial GDP (PGDP) growth rate of 23.6 percent in 2013 contributing 4.3 percent to the National Economy up from 3.7 percent in 2011 while the Eastern Province registered the second growth of 26.6 percent in the PGDP with an increase in its GDP share to 6.9 in 2013 from 5.8 percent in 2011. Unemployment rates have also declined significantly in the Northern and Eastern provinces. Unemployment rate in the Northern Province has declined from 6.1 percent to 5.2 percent, and in the Eastern provinces from 15.5 percent to 4.9 percent in the period 2005-2012.

131. Under the Urban Development Programme (Pura Neguma), 84 percent of total investment in the North and 77 percent of total investment in the East were channeled to create access to rural roads. The reconstructed railway line from Omanthai to Kilinochchi was commissioned and dedicated to the public of Sri Lanka on 14 September 2013. The second segment, Kilinochchi – Pallai, of approximately 30 kilometers, was added to the rail network. The Chunnakam Grid substation was opened connecting the Jaffna peninsula with the national grid after a lapse of two decades. Over 63 Mw of power is to be transmitted to the Jaffna peninsula through the substation for which the Government has spent Rs. 1,800 million. The new Oluvil Port Development project in the East, constructed at a cost of Rs. 7,000 million, was opened in September 2013. Ministry of Resettlement has initiated negotiations with Board of Investment to open up a regional branch in Jaffna, and also held discussions with the Chamber of Commerce of Jaffna and Jaffna Managers Forum on ways and means to create new jobs in the North and East.

132. Sri Lanka was upgraded as a middle-income country by the International Monetary Fund (IMF) on January 11, 2010 uplifting Sri Lanka from the list of Poverty Reduction and Growth Trust (PRGT) eligible countries. The main factors for this resolution are as follows, (i) having enjoyed income per capita well above the International Development Association (IDA) threshold for a number of years, (ii) having the capacity for durable and substantial access to international financial markets, and (iii) not facing serious short-term vulnerabilities.

133. Furthermore, the government's commitment in combating poverty is reflected by its recent socio-economic achievements. The progress made in achieving Millennium Development Goals and SAARC Development Goals undoubtedly reveals the effectiveness of the measures taken up by the government in order to alleviate poverty. Implementation of safety net programmes for the selected community groups serves the intention of protecting the vulnerable communities from being deprived by the competitive market forces in a macro-economic atmosphere. At the same time developments made in the Health and Education areas have made an immense impact in reaching the current socio-economic status of the country. Please also see response to paragraph 13 of the Concluding Observations above.

134. The Divi Neguma programme[9] commenced in March 2011, with the objective of creating a healthy and economically empowered strong domestic units. The key focus area of the programme is to upgrade the local infrastructural facilities such as roads[10], from the village level,[11], which serves as arteries for local producers to transport and market their products at the urban market centers. This has served to enhance the income generating opportunities of the farming community.

135. Reconstruction of minor irrigation projects and cultivation of abandoned paddy lands have opened up opportunities for the rural communities to engage in agricultural practices, thus furthering their avenues of income generation. These initiatives are expected to contribute to the nation's food security and the country's development efforts in a sustainable manner, further highlighting the multi-pronged and the holistic approach to development that the Government has endeavored to achieve.

136. Furthermore, micro-credit initiatives have been undertaken to resolve credit issues of women with enterprising ideas. As mentioned above the government wishes to fully utilize the entrepreneurial ambitions and potentials of its citizens, through the implementation of specific policy mechanisms which targets these particular groups in order to empower them for the benefit of the country's economy.

137. The Uthuru Wasanthayana and Nagenahira Navodaya development projects,[12] the twin efforts by the former Ministry of Economic Development were implemented with the aim of uplifting socio economic conditions of the inhabitants of the Northern and Eastern Provinces.

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[9] Phase I of the programme consisted of one million household economic units, while Phase II which commenced in November 2011 covered 2 million units. Phase III which commenced in April 2012 covered 2.5 million units. Phase iv was launched in was launched on October 22, 2012. Phase v of Divinaguma was launched in October 2013 with a view to enhance the family economy upgrading home garden cultivation.

[10] In 2011, 7,141 projects of roads, bridges and culverts were completed. Total expenditure for the programme was at a cost of LKR 2.606 billion, benefiting 4 million people.

[11] In 2011, 7,141 projects of roads, bridges and culverts were completed. Total expenditure for the programme was at a cost of LKR 2.606 billion, benefiting 4 million people.

[12] A plethora of information is available at the Official Government news portal for development. You may visit www.development.lk to ascertain more information regarding the development work carried out in the Northern and Eastern Provinces, as well as the other regions of the country. Specifics of the GoSL's development activities targeting regional poverty alleviation can be found here.

Address housing shortage by adopting a national strategy and a plan of action on adequate housing [Paragraph 31]

National strategy and a plan of action on adequate housing

138. It is admitted that the country did not have a comprehensive housing policy during last few decades as the country was undergoing unstable and unsettled phases of life with a deadly war. Since peace has dawned and conditions are conducive to developing nation with a clear vision, a national housing policy was drafted by the former Ministry of Housing, Engineering Service and Common Amenities (this Ministry has now been reconstituted as the Ministry of Housing and Samurdhi) which was approved by the Cabinet of Ministers and adopted in 2014. The primary objective of the Housing Policy is to "ensure the right to live in an adequate, stable, qualitative, affordable, sustainable, environment friendly and secure house with services for creating a high living standard on the timely needs of the people."[13]

Addressing the housing problems of all the low income families

139. The Urban Regeneration Program implemented by the Ministry of Defence and Urban Development Authority, Water Supply and Drainage (this programme was previously implement by the former Ministry of Defence and Urban Development) is a holistic development approach adopted for the development of the City of Colombo as the Commercial Capital in keeping with the country's national development framework. Under the City of Colombo development program, a special emphasis is placed on addressing the housing problems of all the low income families living in slums and shanties, labour quarters, and all other inhabitable shelters.

140. The Urban Development Authority (UDA) had conducted an enumeration survey and found that approx. 66,000 families in the city of Colombo were living in abject living conditions. Having recognized that there was a major problem relating to housing for these low-income groups of people, the Government formulated a clear strategy to implement a major Urban Regeneration Programme with a view to resettling all the families living in these underserved settlements with basic amenities and facilities.

141. All the families irrespective of their ethnicity, religion or any other differences are being taken care of in an equitable manner in the allocation of housing. The policy adopted is to shift all the families to the nearest housing complex by ensuring the education of the children and development and advancement of their livelihoods. During last two years period, the UDA has awarded contracts for the construction of housing schemes in 19 sites containing ground+3 walkup apartments and 12 storied condominium apartments with a floor area of a unit at around 400 sq.feet with all facilities and amenities. During the phase II of the project sq.feet floor area of one unit has been increased to 500 sq.feet. Presently, around 14,000 units are under construction at different stages and first 4,900 units were handed over to selected 4,900 families at the end of the year 2014. All stakeholders aggrieved by any decision had unimpeded access to legal remedies and as a State Party to the International Covenant on Economic, Social and Cultural Rights, the entitlement to the right to adequate compensation was duly recognized and adhered to.

[13] The National Housing Policy could be accessed at www.housingpolicy.lk.

Combat prison overcrowding, in particular by focusing on alternatives to custodial measures [Paragraph 32]

142. The Ministry of Justice is responsible for overseeing affairs pertaining to the prisoners. The Ministry is in the process of conducting a programme to reduce the congestion by relocating prisons from densely populated areas to more spacious areas.Due attention has been given for both the relocation projects at Tangalle, Matara, Galle, Badulla and Trincomalee, and the construction of new prisons in Pallekelle and Jaffna. The expansion of existing prisons at Mahara, Watakara and Kalutara are under way. The aforementioned authority grants amnesty or leave for the inmates to ease the congestion in prisons, under the following conditions:

- Inmates released on amnesty
- Inmates released on licenses
- Inmates granted home leave

143. The State wishes to reiterate to the Committee that juvenile offenders are separated from the adult detainees and separate vehicles have been allocated for them to be transported to the Courts. Convicted child prisoners are sent to Wathupitiwela Training School for Youthful Offenders, Pallansena Correctional Centre for Youthful Offenders and Taldena Correctional Centre for Youthful Offenders. The world's first school for prison detainees was declared opened on 21st March 2014 at Watareka Prison. 183 detainees have been selected to study in this school up to grade 8 and Grade 9 and their school uniforms were granted by the government. They will be taught the government school syllabuses through government teachers.

144. The draft Prison Administration Bill aimed at improving standards in the country's over-populated prisons has been presented to the former Minister of Prison Reforms by the Committee appointed to draft the new Bill for his observations. The new legislation will replace the existing Prisons Ordinance with a view to streamlining the legislative and administrative action related to prisons administration in accordance with accepted international norms and practices. The Committee took into consideration Sri Lanka's international obligations such as the Standard Minimum rules for the treatment of prisoners (SMRTP) adopted by the United Nations, the conventions adopted by the International Labour Organization and ratified by Sri Lanka and other international principles related to prisoners and prisons administration.

Measures to protect the right to adequate food [Paragraph 33]

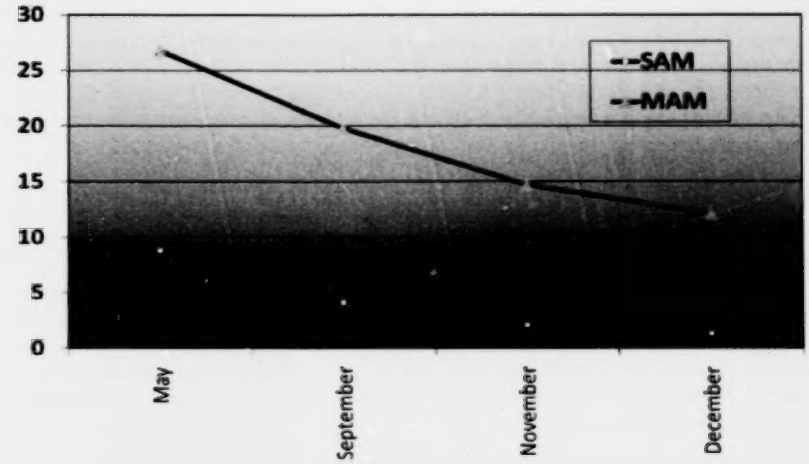
145. The GoSL has identified nutrition as a key priority area. The National Nutrition Policy was adopted in 2010 with programs for food security for all citizens. The national nutrition council under the chairmanship of the Head of State with the participations of 14 ministries and all Provincial Chief Ministers has provided a mechanism to operationalize the policy considerations in a multi-sectoral manner. Maternal and child nutrition issues have been accorded the highest priority. The 2015 Global Food Security Index ranked Sri Lanka in the 63rdposition out of 105 countries.

146. An integrated maternal and child health package has been implemented throughout Sri Lanka by the Ministry of Health and Indigenous Medicine with a special focus on the vulnerable populations to reduce all relevant interventions which has a potential to impact the maternal and child nutritional levels.

147. Apart from the multiple initiatives which the government has undertaken to ensure food security for the population it has also taken special care to strengthen several other programmes including the provision of fertilizer subsidies, home gardening drive, the national food supplementation programme (Thriposa[14]) which are aimed at giving a full coverage to the beneficiaries. In addition, special supplementary food programmes in vulnerable districts have been implemented.

148. Nuwara Eliya and Monaragala Districts have been prioritized in this regard since they lag behind the others in several nutritional related indicators. A special nutrition rehabilitation programme has been initiated in the Northern and Eastern Provinces where the prevalence of Severe Acute Malnutrition (SAM) has been high. As a result of this, the rates of SAM have dropped by approximately 4 percentage points within a period of 4 months.

Nutrition Rehabilitation Programme for IDP in Northern Province in 2009 – Reduction of prevalence of Severe and Moderate Acute Malnutrition among under 5 children



149. Special nutrition improvement programmes have been introduced to uplift the nutrition status of the plantation community. Public Health Midwives have been recruited for the plantation sector from the same community so that language barriers will be minimized. Northern Province nutrition improvement project has been utilized to improve and empower the affected population in the area. In order to improve nutritional state of children in the estate sector, action has been taken to expand the existing "Fresh milk programme" to the Estate sector. Mid-day meal programme is being implemented to ensure the nutritional status of every child. Mid-Day Meal Programme is carried out in the Northern Province targeting 160,000 students in 2015. It has helped to improve the attendance of children especially in schools where children come from low income families.

[14] For more about the *Triposha* nutrition programme, see the Initial Report submitted by the State Party in 1996.

150. Adequate safety nets have been allocated to cater to the marginalized population with the Samurdhi poverty alleviation program, and the free glass of milk and food basket programme. National programme on micro-nutrient supplementation is in operation across the country covering all communities including pregnant and lactating mothers, children under the age of five and school children irrespective of their religion, ethnicity or geographical location.

Laws relating to abortion [Paragraph 34]

151. Sri Lanka takes cognizance of the concerns of the Committee that abortion remains criminalized under the law. In terms of Sections 303 and 306 of the Penal Code, abortion is permissible only to save the life of the mother. A proposal to include termination of pregnancy in an instance of rape and incest is included in the Amendment Bill to the Penal Code in 1995. However, this was withdrawn by the Parliament after considerable debate, as it proved to be controversial to certain ethical and religious factors.

Establishment basic sexual and reproductive health services

152. The policies and strategies on family planning, adopted by the Ministry of Health and Indigenous Medicine, assists the prevention of induced abortions. For example, eligible couples (where females are in the reproductive age) are counselled on family planning and contraceptive methods. This ranges from provision of sterilization services in specialized institutions to distribution of oral contraceptive pills and condoms through domiciliary visits by field health workers. Their services can be accessed at any part of the country by any community group.

153. Basic sexual and reproductive health services are well established in Sri Lanka. Ministry of Health and Indigenous Medicine is the main provider of family planning services, with more than 1,800 registered clinics, both in the field and in curative institutions. The norm in Sri Lanka is to establish a family planning clinic per 10,000 of the population which has been achieved in a majority of areas. At least four family planning methods are provided by each of these clinics, so that clients are able to select the method that best suits them. In addition, more than 6,000 Public Health Midwives provide oral contraceptive pills and condoms during domiciliary visits. These services are provided throughout the country and to all community groups. Public awareness is an essential part of this service package.

154. The contraceptive prevalence rate in 2013 was 64.9% (modern method – 55.4%; traditional method – 9.5%) and has been static over the past five years. The target rate is 72% to achieve a total fertility rate of 2.1 which is regarded as the replacement level. Approximately 5% increase in the use of any contraceptive method was observed from year 2007 to 2013.

155. Meanwhile, "Reproductive Health" education has been included in the Health curriculm in schools and special awareness programmes are conducted for school children on Reprodcutve Health by the Public Health field staff.

Mental health services to address widespread post-conflict mental disorders [Paragraph 35]

156. The Mental Health Act of 2007 was revised and completed in May 2013 and measures have been taken to obtain the Cabinet approval and to forward the revised Bill to the Legal Draftsman for observation. Furthermore, steps were taken to strengthen the district level mental health services by appointing more additional health workers at all districts including consultant psychiatrists, medical officers and psychiatric nurses. Plans are underway to recruit more staff.

157. With a view to improve mental health conditions of the war affected communities, the Presidential Commission Investigating Cases of Missing Persons in Sri Lanka has focused its attention on providing psychological assistance to the families of persons went missing during the war. The Commission together with the Ministry of Health, the National Institute of Mental Health and the International Committee of the Red Cross (ICRC) recently organized a consultative meeting with mental health specialists in an effort to coordinate existing mechanisms to develop new strategies to address the mental health needs of families of missing persons.

Public education system [Paragraph 36]

158. The Government is committed to promote and protect educational rights of all citizens through free access to primary, secondary and higher education for children and youth of the country all. The government policy envisages of developing a safe and a conducive environment for children where they can learn and develop physically, socially and cognitively in accordance with Sri Lankan cultural values, human rights and fundamental freedom. Sri Lanka has taken several initiatives with regard to the protection, development and education of children, with special emphasis on children in vulnerable circumstances, such as children with disabilities; children affected by conflict, street children, abused and abandoned children.

159. In the conflict affected North and Eastern provinces, schools have been re-opened since the conclusion of the conflict in 2009 and children including former child combatants recruited by the terrorist group (LTTE) are back in school. 594 ex-child combatants, which included 364 males and 230 females, have been rehabilitated and reintegrated into society by May 2010. All those who missed out on their schooling during the conflict period were facilitated to gain formal education and those qualified for G.C.E (O/L) and (A/L) sat these examinations undergoing special education programmes and tuition classes under the "Catch up Education Scheme". 169 qualified to enter university. Further, 322 ex-child combatants received vocational training in order to be gainfully employed.

Equal distribution of resources

160. Sri Lanka has made progress in achieving gender equality at all levels of education. The ratio of girls to boys' enrolment has increased at all levels, and has reached the target of 100% in secondary schools. The GoSL has taken up following initiatives in order to maintaining the proactive stance with regard to the provision of high quality education for children.

- Established 1,000 secondary schools (at least one school per one divisional secretariat) with Technology laboratories by providing the necessary hard and soft infrastructure for Information and Communication Technology (ICT). This initiative aims to reduce the inequalities of resource allocation, bridge the digital divide and eventually to minimize the regional disparities.
- Institutionalization of the child friendly school concept to help improve the quality of primary education.
- The construction of schools in former conflict affected areas is an integral part of the State Party's effort to expedite the process of restoring the rights enjoyed by the children.
- Moreover, under the Gama Neguma (Village Upliftment Programme), sanitary facilities for schools were implemented for the purpose of creating a conducive environment for children to enjoy their right to education without any hindrances. Sri Lanka has taken conscious effort to adhere to international standards when such services are provided, especially in co-ed schools. Efforts have been taken to

provide play grounds and teaching instruments for pre-schools, there by not depriving the adequate and necessary resources for children to enjoy their right to education, especially in rural areas of the country. These measures have yielded positive results in the form of increased admissions to pre- schools. Under the aforementioned Gama Neguma programme, 5,123 such projects have been completed.

161. Human Rights and Peace Education has been included in the existing school curriculum by introducing the subject of Civic Education and Citizenship Education. Human Rights Commission of Sri Lanka has taken the initiative to study the present curriculum to identify the areas which require improvement in collaboration with civic society organizations like the Association for the Advancement of Education and National Institute of Education.

Part II – Progress since last periodic report

Article 1 – Self-determination

162. Sri Lanka's consistent position has been that the concept of right to self-determination applies only in a decolonization context and cannot be applied or be interpreted in a manner prejudicial to the sovereignty and territorial integrity of an Independent State. In terms of Article 3 of the Constitution "In the Republic of Sri Lanka sovereignty is in the People and is inalienable." Thus sovereignty is reposed in the People as a whole and it cannot be contended that any group or part of the totality of the People should have a separate right of self-determination.

163. Today in Sri Lanka, the elected representatives of the Tamil people have a voice not only at the Centre but also at the provincial level, the ethnic Tamil party the Ilankai Tamil ArasuKadchi (ITAK) being the governing party in the Northern Provincial Council.

164. Number of Presidential, Provincial Council and General Elections held since the last reporting period are as follows; Parliamentary Election in 2015, Presidential Election in 2015, Presidential Election in 2010, Parliamentary General Election in 2010, Provincial Council Election held in 2009 for Southern, Uva, Western, Central and North Western Provinces, in 2012 for Eastern, North Central and Sabaragamuwa Provinces and Northern Province in 2013.

165. In the Presidential election held in 2015, 81.52% of the registered voters in Sri Lanka from all parts of the island including former conflict affected in the Northern and Eastern Provinces exercised their franchise at this election. It recorded the largest voter turnout in the country's history.

Rights of Adivasi / Veddah community

166. While Sri Lanka does not recognize the concept of "indigenous peoples" as all people of Sri Lanka share a common heritage of over 2,500 years and contribute to the diversity and richness of the Sri Lankan civilization, Sri Lanka voted in favour of adopting the Declaration on the Rights of Indigenous Peoples (adopted by the General Assembly on 13 September 2007).

167. Over the years, adivasi people deserted their traditional settlements and occupied lands given under Mahaweli Development Project. Plots of land ranging from ¼ acre to 2½ acres in extent were distributed among them.Adivasipeople also left their traditional lands during the war and settled in villages in Dalukana, Pollebedda, Vakarai, Kumchamkulim

etc. Statistics relating to landownership of adivasi community are given in Tables 01, 02 and 03 of the Annex.

168. The former Ministry of Culture and the Arts (this Ministry has been reconstituted as State Ministry of Cultural Affairs since January 2015) funds and facilitates researches conducted by the University of Colombo and other government institutions on lifestyle, medication and nursing, customs, rituals, folk songs, language, literature and culture of the original inhabitants.

Article 2 – Realization of the rights contained in the Covenant

169. Article 12 of Sri Lanka's Constitution secures the fundamental right of equality and prohibits discrimination on the grounds of race, religion, language, caste, sex and political opinion, place of birth.

170. In 2011, Cabinet approval was granted to amend the Service Minutes of all Island Services in order to increase the intake of Tamil speaking candidates to serve exclusively in Northern and Eastern Provinces. Currently, there are 2,207 police officers who speak Tamil, working in the North. And 2,326 Tamil speaking police officers are serving in the Sri Lanka Police. 3,849 Tamil civilians from North were recruited to the Department of Civil Security, including 665 former LTTE combatants. Action is also being taken to promote ethnic and cultural harmony though schools curricular, tertiary education, sports and the arts. This step was necessitated due to the decline in the numbers of the Tamil community in the Public Service over three decades as a result of the LTTE threats and reprisals against members of the Tamil community working in the Public Service.

171. The Government has also taken steps to balance the polarizing that has taken place in the armed forces of Sri Lanka during the conflict between the GoSL and LTTE. The first batch of woman recruits from Mullaitivu area joined active service during a Passing Out ceremony in Mullaitivu on 2nd July 2014. Thirty woman recruits passed out during the colourful ceremony after completing a three month long basic training at the Security Force Headquarters in Mullaitivu (SFHQ-MLT). These woman soldiers are earmarked to take up duties for civil co-ordination work.

172. A 10-year National Plan for a Trilingual Sri Lanka was launched in January 2012 for the implementation of the Trilingual Policy. In line with this Plan, the Government has initiated a program to make public sector workers bilingual, with the ability to converse in both Sinhala and Tamil. Civil servants and Police officers have been recruited and trained to serve the public in the North and the East in the language of their choice. Special focus is being placed on enabling police personnel serving in the North to have a sound knowledge of Tamil.

173. The National Department for Registration of Persons has taken measures to issue computerized bilingual identity cards in the two national languages, Sinhala and Tamil. While identity cards of minority communities are already being issued in two languages for their convenience, the new decision will be applicable to all identity cards, as a corrective measure and to ensure equity for all citizens.

Article 3 – Gender equality

174. As outlined in the responses to paragraphs 15, 18, 24 and 36 of the Concluding Observations, the Government remains committed to promoting gender equality and to combating violence against women and girls through a combination of legislation, policies and action plans.

175. Women participation in professional services is increasing, but it is purely based on merit, not by quotas for gender. More women continue to enter employment areas that were hitherto either dominated by men or were the exclusive domain of men, including the Judiciary, Company Directorships, Banking and Engineering fields. Senior government positions including the office of the Chief Justice, the Attorney General, Chairperson of the University Grants Commission, the Legal Draftsman of Sri Lanka, Secretaries to Ministries including the Ministry of Foreign Affairs, Ministry of Women's Affairs and the Ministry of Justice have been / or are being held by female government officers. The Supreme Court today is constituted of two female Judges. More than 80 officers of the Attorney General's Department which consists of officers at the level of State Counsel, Senior State Counsel, Deputy Solicitor General, Additional Solicitor General and Senior State Attorneys, State Attorneys and Assistant State Attorneys are women.

176. The Government continues to encourage women's active participation in politics. Section 7(4) (d) of the Parliamentary Elections (Amendment) Act No. 58 of 2009 provides that in order to guarantee better representation of women in political parties and in politics, every recognized political party shall ensure the inclusion of one or more women office bearers in the list of office bearers of political parties.

Article 4 and 5 – Restriction of limitations to rights under the Covenant and non-derogation of rights

177. The limitations of any Covenant rights will be dealt with under the relevant Article.

Article 6 – Right to Work

Legislative protection against discrimination in employment and occupation

178. Article 12, 14 and 17 of the Constitution stipulates provisions for granting fundamental rights of all citizens. In Article 14 of the Constitution, the GoSL recognizes the freedom of every citizen to form and join a trade union and to engage in any lawful occupation, profession, trade, business or enterprise. Reference is also made in this regard to the response to Concluding Observations paragraph 22.

179. The composition of employment among major industry groups recorded a change with the increasing share of the Industry sector and Services sector and the declining share of the Agriculture sector in total employment. The Services sector dominated in providing employment opportunities in 2014. Employment in the public sector, the private sector and self-employment grew during the year. Unemployment among GCE O/L qualified persons declined marginally to 5.9 per cent in 2013 from 6.0 per cent in 2012. However, the highest rate of unemployment of 8.6 per cent was recorded among GCE A/L and above qualified persons, is a matter of concern. It largely reflects the mismatch between competencies and job requirements in the market, triggered by the supply of educationally more qualified persons. It is necessary to focus more on specialized education and skills development, including technical, vocational and IT based training to improve employability. As observed in the last few years, labour productivity continued to increase in 2013. Moreover, departures for foreign employment, a significant source of foreign exchange earnings for the country, also increased significantly during 2013.

180. In terms of employment status, the number and share of employed population engaged in the private sector, public sector and self-employment increased. Out of totally employed, the largest share of 40.6 per cent was in the private sector, although its relative share declined marginally in 2013 compared to the previous year. The share of Employers and Self-employed categories in the total employment increased to 35.2 per cent in 2013

from 34.7 per cent in 2012. The number of employees in the public sector increased by 2.7 per cent reaching a total of 1,282,917 in 2013, as released by the Public Sector Employment Survey conducted by the Central Bank.

Article 7 – Right to fair conditions of employment

Legal Framework

181. Fundamental Rights of the citizens are guaranteed by the Constitution and any citizen is free to choose his occupation. Article 12, 14(1) (d) and (g) of the Constitution are of particular importance in this regard. The provisions of the Termination of Employment (Special Provisions) Act which guards against arbitrary termination of scheduled employment, Factories Ordinance which provides for safety and welfare of workers in factories, Shop and Office Employees Act which provides for regulation of employment hours of work and remuneration of persons in shops and offices further strengthens the legal framework for fair conditions of employment.

182. Wages Boards Ordinance of 1941, recognizes several important principles, such as the fixation of minimum rates of wages, the introduction of a legally defined working day, the minimum age of employment and the concept of tri-partism. At present, 43 wages boards are functioning and determine minimum wages in the plantation, industrial and services sectors.

183. In Sri Lanka collective agreements are exclusively enterprise base. In setting wages through collective bargaining, the sustainability of the enterprise among other things is taken in to consideration. As sustainability of the enterprises, within the same industry, may vary from one to another, the wages of a specific occupation may also vary from enterprise to enterprise within the same industry. These scenarios also limit the application of this principle. The Committee may refer to the response to Concluding Observations paragraph 19 for more information on collective bargaining.

184. It is important to note that collective agreement in the plantation sector is significantly important in determining the minimum wage for plantation workers. At present the wages of the plantation workers is determined by the Collective Agreement is significantly higher than the minimum wages of other sectors determined by the relevant Wages Boards.

185. The machinery for minimum wage fixing in Sri Lanka is an independent, permanent and tripartite board with powers of effective recommendation, established at industry level to determine minimum rates of wages for specified groups of workers in industries. This mechanism provides a convenient framework for fixing rates on an industry-by-industry basis, taking into account special circumstances of respective industries with the direct participation of all social partners.

186. The GoSL has ratified ILO Discrimination (Employment and Occupation) Convention No. 111 and gives effect to the provisions of the convention in law and in practice. No discriminatory practices based on i.e. gender, race or caste is allowed within the work place by law and the employment conditions such as pay, leave and social security etc. are gender neutral.

Article 8 – Right to form and join trade unions

187. Sri Lanka has a strong tradition of trade unionism – a tradition which is inextricably linked with the significant role played by trade unions in the independence movement of Sri Lanka. For further constitutional provisions in Sri Lanka regarding freedom of association,

and the establishment of trade unions by certain categories of persons, please refer to the response to paragraph 22 of Concluding Observations.

Article 9 – Right to Social Security

188. The existing social security system of Sri Lanka comprises of fairly well-established schemes of old-age pensions and of lump-sum payments at retirement for public officers and workers in the formal private sector and their dependents (The Committee may refer to Sri Lanka's implementation of the ICESCR periodic report of 1997 for further details in this regard). There are voluntary schemes for workers in the informal economy. Further, there are schemes which cover disability, health care, and social safety nets targeting the poor. Many contingencies are covered on a universal basis (health care) or covered under one scheme or another (old age, disability, survivorship). Some contingencies are partially covered (disability, maternity, workmen's compensation).

189. In August 1995, Sri Lanka launched the Samurdhi (Prosperity) Movement, which was projected to help 1.2 million families to rise above the poverty line. About 100,000 of the families are paid LKR 1,000.00 a month. The recipients form the poorest section of the population with a monthly income below LKR 500.00. The remaining 1.1 million families, whose monthly income is between LKR 500.00 and LKR 1,000.00 are paid a monthly allowance of LKR 500.00. This income support scheme is strengthened by self-employment, cooperative and community projects intended to increase productivity and create employment. (The Sri Lanka implementation of the ICESCR periodic report of 1997 has provided details in this regard).

190. Public service employees and their families are covered by three main schemes managed by the Department of Pensions of the GoSL. They are Public Servants Pensions Scheme (PSPS), Public Servants Provident Fund (PSPF) and the Widows and Orphans Pensions Scheme (W&OP). Payments to beneficiaries of the Employment Trust Fund (ETF) and Employment Provident Fund (EPF) are made in a lump sum basis for workers in the formal private sector.

191. A major step towards providing social security in the informal economy was taken with the introduction of the farmers' and fishermen's pension schemes. According to the Labour Force Survey conducted in 2010, 62.6 per cent of the workers out of the total employed population in the country were working in the informal sector of the economy, where nearly 2.2 million were plying their trade in the agricultural sector. Moreover, a disability benefit is also paid in the case of partial or permanent disability. The payment system is flexible in nature as it can be done via regular installments (choice between three schedules as prescribed by the regulations) or in a lump sum basis.

Article 10 – Right to Protection of the family

192. It is to be noted that amendments to the Marriage Registration Ordinance of 1907 and the Kandyan Marriage and Divorce Act of 1952 have raised the minimum age of marriage, for both males and females, governed by their provisions to 18 years of age. The right of all men and women over 18 years of age to enter into marriage with their full and free consent is guaranteed by statute. The Marriage registration form under the General Marriage Ordinance must be signed by both parties signifying their consent. The social, religious and cultural bonds are reaffirmed at marriage ceremonies.

Social services for older persons and persons with disabilities

193. The mandatory functions of the Ministry of Social Services in Sri Lanka mainly focuses on Persons with Disabilities (PWDs), Senior Citizens and Single Parent families. Sri Lanka is a signatory to the United Nations Convention on the rights of persons with Disabilities since 2007. The Ministry has taken active steps to implement programs that ensure the rights of PWDs are in line with the UN Convention.

Maternity benefits scheme

194. Maternity benefits are available to the following categories of female employees in Sri Lanka:

(i) Government servants;

(ii) Female employees covered by Part I of the Shop and Office Employees Act;

(iii) Female employees covered by the Maternity Benefits Ordinance No. 32 of 1939.

Maternity benefits in the government sector

195. Maternity benefits in the government sector are regulated by section 18 of chapter II of the Establishment Code, in accordance with which a female worker who has served a period not less than nine months is entitled to 12 weeks leave with full pay for the first and second live births. For any births beyond the second, if she has served the minimum period of nine months, six weeks leave with full pay is granted. If the female officer has not served a minimum of nine months she will be granted 12 weeks of leave for the first and second live births out of which leave with full pay is granted proportional to the length of her service. The rest of the leave is without pay. Add the contents of Public Administration Circular 03/2006 dated 6th March 2006 which provides for Paternal Leave to the end of the said paragraph.[15]

Prevention of child labour

196. Sri Lanka has ratified both ILO Minimum Age Convention, 1973 (No. 138) and Worst Forms of Child Labour Convention, 1999 (No. 182). It has aligned its legislation including the penal code with the provisions of these conventions; and has criminalized and provided for serious fines and jail sentences for the perpetrators of forced labour, trafficking, soliciting children for sex and otherwise engaging children in illicit activities. Please refer to response provided for paragraph 26 of the Concluding Observations on child labour.

197. Legislation to protect the rights of elders has been enacted by the Parliament in 2000. The enactment of Protection of the Rights of Elders Act Number 9 of 2000 is an important measure for protection of elders in Sri Lanka. The Act provided for the establishment of a National Council for Elders, a National Secretariat for Elders, a National Fund for Elders and a Maintenance Board for Elders. This Act was amended in 2011 and incorporated further protection for elders including legalization of issuing Elders Identity Cards and Registration of Elders Homes.

[15] For copy of circular please see http://www.pubad.gov.lk/web/eservices/circulars/2006/E/03-2006%28e%29.pdf.

Article 11 – Right to an adequate standard of living

The right to adequate food

198. The primary goal of the country's National Agriculture Policy is to increase domestic agriculture production to enhance food and nutrition security of the nation.

199. The Government has made great strides to bring up the availability of rice as the staple food of the country. The average yield was 2.675 million tons in 2013. Rice production policies of the GoSL include a producer price floor, a 90 percent fertilizer subsidy, and a requirement that lands in paddies be used uniquely for rice production. In 2013, the government decided to increase the fertilizer subsidy given to farmers for the 2013/2014 Maha season by 15 percent over last season's amount and 40 billion rupees were allocated for the subsidy.

200. Sri Lankan agricultural policy emphasizes self-sufficiency in rice production and encourages rice consumption. The GoSL attempts to guarantee a minimum price to farmers through the Paddy Marketing Board and also maintains a maximum retail price for consumers. The government also implements a tariff on rice imports of 20 rupees per kg and tariff on related competing goods such as wheat.

Eradication of malnutrition

201. One of the principle aims of the country's national policy en route to the attainment of a developed country status is the eradication of malnutrition and enhancing the access to quality nutrition and food for the citizenry. A regular supply of food and nutritional requirements is ensured through targeted Divi Neguma and Samurdhi initiatives for families in need. The government has identified the consumption of low quality food as a key reason for obesity (10%), stunt (17.3%) low birth weight (16%) and anemia in pregnant mothers (16.2%) and breast feeding mothers (19.6%). Hence, the month of June in every year is declared as the nutritional month. Extensive countrywide nutritional clinics conducted in educating making a more nutritional meal were conducted during the nutritional month. Provincial health secretaries, regional and provincial health directors and family health officers in rural areas were tasked with the implementation of this project.

202. Having observed that the Sri Lanka's per capita consumption of fruits remains far below the required average daily intake, the Agriculture Ministry announced a national fruit promotion week from July 14 to 21, 2014 to make people aware of the importance of fruit consumption. Several programs were scheduled in this regard during the week, with the support of Fruits Crop Research and Development Centre in Kananwila, Horana.

Measures in place to make water affordable to low income families

203. National Water Supply and Drainage Board (NWSDB) has taken several measures to make water affordable for low income people during the past years. In the current tariff system of the NWSDB, there are three separate tariff categories for domestic consumers in order to provide benefit to the low income households. A national tariff system prevails for piped water services provided in the country. However, there are some supply systems that are managed by the local authorities for which charges are scheme specific. In addition there are Community Based Organizations (CBOs) managing water supply systems for which specific charges are levied as decided by themselves. It is important to note that these charges are affordable for the category of domestic consumption as NWSDB provides technical assistance free of charge to CBO managed water supply systems through Rural Water Supply units established in almost all districts. This facility helps to keep operating costs of CBO managed water supply systems under control.

Right to adequate housing

204. Please refer to response to paragraph 31 of the Concluding Observations.

Article 12 – Right to Health

205. Sri Lanka has a wide network of health services in terms of geographical and population coverage and has a longstanding reputation for maintaining a reasonably high standard of health facilities through the provision of free medical care, free hospital care and free clinical facilities. This has been made possible through the allocation of substantial amounts of financial resources from the government budget to the social sectors continuously in the post-independence period. A parallel private health care sector also exists. Private insurance holders obtain health care services from the private sector.

206. The State party has formulated a ten year national health policy (2006-2016), which has been adopted for implementation. Further, the National Health Development Plan (NHDP) is prepared by the Ministry of Health (MoH) as a medium term plan spanning (2013-2017). MoH is expected to prepare its annual budgets and plans based on the NHDP. Preventive, curative, and rehabilitative health facilities, goods and services are within safe reach and physically accessible for everyone free of charge irrespective of their income status.

Child and Maternal Health and Family Planning

207. The Public Health Midwife (PHM) is given a well-demarcated area with a population ranging from 2,000 to 7,000 and provides domiciliary care through systematic home visits of mothers and children within the community. PHM provides education and advice on health and health related activities and necessary counseling on family planning to potential clients within its jurisdiction. The spatial coverage of PHM is extensive and is national in scope. People, irrespective of the social and economic status have access to the above mentioned services.

208. The "National Maternal and Child Health (MCH) Policy" has been passed by the Cabinet of Ministers in 2012 and the policy guidance is given to all districts and provinces for effective implementation of MCH programme. The Maternal Mortality Ratio and Infant Mortality Rate are two of the MDG indicators that have been achieved nationally. The country's maternal and child health indicators show continued improvement that point to definite improvement in the health of mothers and children. The United Nations in Sri Lanka has reported that according to the Family Health Bureau of the Ministry of Health the maternal mortality ratio has declined from 92 deaths per 100,000 live births in 1990 to 33.3 in 2010.[16] Similarly neonatal, infant and under five mortality – 6.8, 9.2 and 10.4 per 1,000 live births respectively.[17] The improvement in these indicators can be mainly attributed to the operationalization of Maternal and Child Health Programmes of the MCH, which provide effective and widely accessible health care for mothers and children and hospital based obstetric care. GoSL has taken several initiatives to strengthen emergency and essential obstetric and newborn care in all Districts of the country.

209. The GoSL in Parliament presented the Extraordinary Gazette Notification re iring the placement of pictorial warnings on cigarette packs in January 2014. According to the regulation, the pictorial health warning shall be printed on both sides of every Cigarette

[16] Millennium Development Country Report 2014 published by United Nations Sri Lanka – 2015. Page 103.

[17] Family Health Bureau, Sri Lanka.

packet, package or carton containing cigarettes and shall cover at least 80 percent of the total area of a packet, package or a carton. Misleading messages on the impact caused to the health as a result of the smoke should not be included. It is also mentioned in the Gazette Notification that cigarette packets could not be produced, imported or sold without the pictorial warnings. Further, the quantity of nicotine containing in the product should be clearly mentioned and it is prohibited to cover these warnings with other photographs.

Awareness to prevent HIV/AIDS and other sexually transmitted diseases

210. The National STD/AIDS programme has been successful in reaching out to vulnerable and high risk populations where HIV counseling, testing and STI screenings were carried out. The general public was educated through several modalities such as AIDS walks, electronic media, poster competitions (225 posters developed by schoolchildren), songs and dramas during the World AIDS Day every year. Themes emphasizing on zero infection and zero discrimination on HIV/AIDS &STIs were distributed to school children via booklets and pamphlets.

Psychiatric facilities for mental health patients

211. The Ministry of Health and Indigenous Medicine has ensured that Consultant Psychiatrists are working in almost all Districts of the country, and Medical Officers of Mental Health in all Districts. Sixty percent of the districts have psychiatric wards in general hospitals and psychiatry clinics in all District hospitals. Adequate steps have also been taken implement community psychiatry programs in all districts to give care for the patients who are not coming for regular treatments. National Institute of Mental Health is doing periodic review and effective judicial control.

Article 13 and 14 – Right to Education

212. Sri Lanka is committed to promote and protect right to education for all its citizens. It is also a signatory to international Conventions such as the Convention on the Rights of the Child (CRC), World Declaration on Education (1990) Education For All (2000) and Millennium Development Goals (2000). In terms of Article 27 (2) of the Constitution, it is pledged to establish in Sri Lanka a Democratic Socialist society the objectives of which inter alia include "the complete eradication of illiteracy and assurance to all persons of the right to universal and equal access to education at all levels." The Education Ordinance No. 31 of 1939 provides the legal basis for the system of education and advocates for compulsory school attendance, regulated under Regulation No. 1 of 1997 which requires schooling for all children between the ages of five to fourteen years.

Free education scheme

213. One of the significant initiatives taken by the Government to ensure the right to education for all social groups was granting free education from kindergarten to university in 1945 and providing equal educational opportunities to everybody. The free education system was further reinforced by several other policies such as free textbooks scheme implemented since the 1950s. Widespread schemes of student welfare facilities such as free health services, mid-day meals and financial assistance (scholarships) at the secondary and higher education levels for all promising, talented students also reduces parental cost for education. Please see Table 04 for statistics on net enrollment rate in primary education by gender, Table 05 for school enrollment by province and Table 06 for school enrollment by grade of the Annex.

The Education Sector Development Framework Programme (ESDFP)

214. In line with the above framework, the Ministry of Education has taken initiatives to extend the age limit of compulsory education from 14 years to 16 years to prevent children from dropping out of the education system due to economic reasons.

215. The Government provides a whole package of welfare services to pupils in schools. These welfare measures have contributed to better school attendance, higher participation and the high literacy rates in the country. Each year the Ministry of Education allocates 10% of its budget for subsidies to provide free textbooks to students. Student Welfare Expenditure as estimated for 2014 to the Ministry of Education.

Children with Disabilities and Special Education Needs

216. Currently there are 714 schools (111 national schools and 603 provincial schools) that provide special educations units in government schools for disabled children. There are 25 special schools for severely disabled children which are operated by the private sector. These schools receive financial assistance by the Government. 25 schools for disabled children which are operated by the private sector are partially funded by the government. Please see Table 07 of the Annex for number of special schools for disabled children by category and number of students.

Technical Education and Vocational Training System (TVET)

217. The post-secondary courses of the TEVT system encompasses various forms and levels of training, which generally start after completion of the senior secondary level of schooling (grade 11, age 16 years) and go up to the diploma level. The first tier of training programs consists of certificate courses, which are designed to produce semi-skilled to crafts-level workers. The next tier of courses consists of Diploma programs, which currently cater to students who passed their GCE Advanced Level (A/L) examination with relatively good marks in mathematics, physics, and chemistry.

Article 15 – Right to Culture and to benefit from Scientific Progress

218. Sri Lanka is enriched by a multi ethnic, multi religious and multi-cultural social fabric. Having identified the need for greater appreciation of cultural pluralism in the context of national integration, Sri Lanka's National Human Rights Action Plan identified the importance of creating an overarching cultural policy and mechanism to ensure cultural rights, as well as the importance of mobilizing resources for promoting intercultural harmony and developing socially relevant art productions as well as promoting the wellbeing of artists. The vigorous implementation of the trilingual policy implemented by the Government further reinforces the linguistic and cultural pluralism of the country, in line with the Constitution which states that every citizen is entitled to the freedom, by himself or herself or in association with others, to enjoy and promote his or her own culture and to use his or her own language.

219. The Information and Communication Technology (ICTA) Agency in Sri Lanka has been given the role of providing leadership in the application of ICT to achieve major economic, development and social improvements. Through Sri Lanka's free WI-FI project launched in 2015 citizens are be able to access 100 MB of data monthly at a maximum speed of 512 Kbps. The locations are common public places such as railway stations, bus stands, Public Libraries, hospitals, etc. The free WI-FI service has been rolled-out by local telecommunication operators. The Government Call Center (www.gic.gov.lk phone: 1919) handles inquiries on the free WI-FI services and assists in logging into the system. A webpage www.freewifi.lk has also been developed.

220. Free WI-FI Connections is expected to be available throughout the country by March 2016 through Google's Loon project, thereby providing Universal Internet Access to the entire country. Empowered by the Information Communication Technology Act of 2003, Nenasala Centres (Wisdom outlets) were initiated to facilitate greater access to internet and technology outside of Colombo, bridging the digital divide. Nanasalas are multi service centers which address the multiple ICT needs of communities. The adoption of ICT services is aimed at improving the lives of communities by facilitating access to information and services, which includes cultural knowledge.

221. The Ministry has taken the following initiatives aimed at promoting the folk culture and heritage of adivasi/veddah people of the country.

- Renovation of Adivasi Jana Uruma Kendraya at Dambana. The raison d'être of the renovation is to protect, promote and recognize the heritage of indigenous peoples. Other spillover effects of this project include the improvement of the livelihoods of these people via increased number of tourist arrivals and to further existing academic research regarding these people and their unique culture.
- Construction of an Adivasi Veda Piyasa has been carried to further promote and preserve the ancient and traditional medicinal system of indigenous peoples. Furthermore, two houses have been constructed for indigenous leaders with the same goals in mind.
- An open theatre has been constructed to facilitate the display of folk cultural activities of indigenous peoples. As mentioned above, this also serves as a major tourist attraction further boosting the livelihoods of these people.

Intellectual Property Act No. 36 of 2003

222. Under the Intellectual Property Act No. 36 of 2003 Section 6 (1) provides for the protection of literary, artistic or scientific work which are original intellectual property creations in the literary, artistic and scientific domain. These works can be books, pamphlets, articles, computer programs, speeches, lectures, addresses, dramatic, musical works, choreographic works, stage productions, expressions of folklore, audio visual works, works of architecture, drawing, painting, sculpture, photography, applied arts, illustration, maps, plans shall be protected irrespective of their form of expressions or content and quality. Section 05 of the Act defines the "Author" as the physical person who has created the work. Under section 13 of the Act subject to the provisions of fair use and the period of protection economic and moral rights shall be protected during the life time of the author and for a period of 70 years from the date of his death.

223. The owner of the copyright of a work shall have the exclusive rights to have economic rights by reproduction, translation, adaptation and arrangements of his work, public distribution by sale, rental or export. Under Section 24 of the Act expressions of folklore shall be protected against reproduction, communication to the public, adaptation, translation and other transformation when they are made for commercial purpose or outside their traditional or customary context.

224. Sri Lanka is a party to i) The Paris Convention on Industrial Property, ii) Bern Convention on Copyrights iii) Patent Cooperation Treaty on Patents iv) Madrid Agreement for the Repression of false or Deceptive Indications of Source or Goods (1891) v) Nairobi Treaty on the Protection of Olympic Symbol and vi) TRIPS Agreement. Any person has freedom to get protection for his inventions, designs and marks at the Intellectual Property Office subject to the provisions of the Act.